

# PLANNING COMMISSION

MEETING OF

MAY 10, 2001

*City of Las Vegas*

## AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 STEWART AVENUE

### ITEM

### ACTION

**5:30 PM**

#### COMMISSIONERS BRIEFING:

##### PRESENT:

Craig Galati - Chairman  
Richard Truesdell - Vice Chairman  
Michael Buckley  
Hank Gordon  
Byron Goynes  
Lanny Littlefield

##### EXCUSED:

Stephen Quinn

##### STAFF PRESENT:

Robert Genzer – Planning & Development Dept.  
John Koswan - Planning & Development Dept.  
Chris Knight - Planning & Development Dept.  
Andrew Reed - Planning & Development Dept.  
Troy Jeschke – Planning & Development Dept.  
Laura Martin – Planning & Development Dept.  
Bart Anderson - Public Works  
Qiong Liu – Public Works  
Scott Albright – Planning & Development Dept.  
Bryan Scott - City Attorney's Office  
Gabriela Portillo-Brenner – City Clerk's Office  
Linda Owens - City Clerk's Office

Andrew Reed, Planning and Development Department, called the Briefing to order at 5:30 P.M.

##### Item No. C-5, V-0008-01:

Mr. Reed said this is a pole sign proposed for the Enterprise Park development, near Lake Mead and Martin L. King. The applicant would like to have this item held in abeyance until the June 14, 2001 Planning Commission meeting in order to meet with the Architectural Review Committee. Staff does not object to having this item held in abeyance.

##### Item No. C-6, V-0014-01:

Mr. Reed explained that this is a six-foot high fence for a dwelling on Santa Rosa Drive, near Sahara and Paradise. Staff approved the fence height through an Administrative Deviation process, so this Variance is no longer necessary and should be stricken.

##### Item No. C-23, VAC-0004-00(2):

Mr. Reed noted that this is the right-of-way Vacation associated with the Cox Communications site near Bonanza and Rancho. The applicant met with staff regarding the conditions and feels this review is no longer necessary, so the applicant is requesting this application be withdrawn.

##### Item No. A-1, TM-0018-01:

Mr. Reed requested this item be pulled off the Consent calendar, so that Condition No. 2 can be revised to comply with the associated Site Development Plan Review, which was approved at the last City Council meeting. The applicant plans to attend tonight's meeting and has no objection to revising Condition No. 2.

##### Item Nos. C-1, GPA-0003-01, and C-2, Z-0013-01:

Mr. Reed said this is a project proposed for the east side of Rancho, south of Charleston. It was held in abeyance from the April 12, 2001 Planning Commission meeting to allow for renotification, which has occurred.

Scott Albright, Planning and Development, passed out a map and NRS 278.262 pertaining to rural preservation neighborhoods. He noted that some of the conditions are mis-numbered.

##### Item No. C-13, SD-0023-01:

Mr. Reed stated that the representative may ask that Condition No. 11 on the Site Development Plan Review that was generated by Public Works requiring alley paving should be deleted.

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ITEM

ACTION

### COMMISSIONERS BRIEFING:

Bart Anderson, Public Works, responded that in this case they will not be using the alley for access. There could be a Covenant Running with Land agreement for future construction.

#### Item No. C-20, U-0051-01:

CHAIRMAN GALATI said he plans to call this item after the Consent items because the applicant has to leave to catch a plane.

Note: There was a discussion as to how to handle applications that need a super majority vote.

Note: COMMISSIONER BUCKLEY referred to the Draft Public Element that had been presented to the Commissioners. He did not feel the hazardous materials dealt with all materials. In addition, it does not deal with the trails plan or air pollution. MR. KNIGHT responded that those items will be addressed on a regional basis.

Mr. Reed adjourned the Briefing at 5:50 P.M.

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### ITEM

### ACTION

**6:00 PM**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

#### CALL TO ORDER:

6:00 P.M., Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

#### ROLL CALL:

Craig Galati	Present
Chairman	
Richard Truesdell	Present
Vice Chairman	
Michael Buckley	Present
Hank Gordon	Present
Byron Goynes	Present
Lanny Littlefield	Present
Stephen Quinn	Present

#### ANNOUNCEMENT:

Satisfaction of Open Meeting Law Requirements.

This meeting has been properly noticed and posted at the following locations:

Clark County Government Center,  
500 South Grand Central Parkway  
Senior Citizens Center,  
450 East Bonanza Road  
Clark County Courthouse,  
200 East Carson Avenue  
Court Clerk's Office Bulletin Board,  
City Hall Plaza  
City Hall Plaza, Special Outside Posting  
Bulletin Board

#### MINUTES:

Approval of the minutes of the April 12, 2001 Planning Commission meeting.

CHAIRMAN GALATI called the meeting to order at 6:00 P.M.

#### STAFF PRESENT:

Robert Genzer, Director,  
Planning and Development Department  
John Koswan, Planning Manager,  
Planning and Development Department  
Andrew Reed, Senior Planner,  
Planning and Development Department  
Troy Jeschke, Planner II,  
Planning and Development Department  
Sean Robertson, Planner II,  
Planning and Development Department  
Laura Martin, Planner I,  
Planning and Development Department  
Bart Anderson, Project Engineer,  
Public Works  
Qiong Liu, Engineer,  
Public Works  
Bryan Scott, Deputy City Attorney,  
City Attorney's Office  
Gabriela Portillo-Brenner, Deputy City Clerk,  
City Clerk's Office  
Linda Owens, Deputy City Clerk,  
City Clerk's Office

CHAIRMAN GALATI announced this meeting is in compliance with the Open Meeting Law.

#### Truesdell -

**APPROVED** as amended (Buckley noted that the Denial motion for Item No. C-15 failed due to the lack of a super majority number of votes in favor of the Denial. Consequently, there was no vote on related Item Nos. C-16, C-17, C-18, C-19 and C-20 so those items would be forwarded to the City Council with no recommendation.)  
**Unanimous**

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### ITEM

### ACTION

#### ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

CHAIRMAN GALATI indicated the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

CHAIRMAN GALATI read the statement on the order of the items and limitations on persons wishing to be heard on an item.

CHAIRMAN GALATI noted the Rules of Conduct.

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### ITEM

### ACTION

**A.**

#### **CONSENT ITEMS:**

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

**A-1.**

#### **TM-0018-01 - GOLDRUSH III - ALBERT MASSI, ET AL ON BEHALF OF KB HOME NEVADA, INC.**

Request for a Tentative Map for 103 lots on 21.3 Acres on the south side of Alexander Road, between Durango Drive and Cimarron Road, U (Undeveloped) Zone [L (Low) General Plan Designation], PROPOSED: [R-PD5 (Residential Planned Development - 5 Units Per Acre), Ward 4 (Brown).

**STAFF RECOMMENDATION:** APPROVAL, subject to:

#### **Planning and Development**

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. The 20-foot multi-use trail required on the south side of Alexander Road shall be revised to meet the specifications of the Centennial Hills Plan (five-foot landscape corridor adjacent to the right-of-way, ten-foot multi-use trail path, and a five-foot landscape corridor adjacent to the residential subdivision).

3. All development shall conform to the Conditions of Approval for Zoning Application (Z-0011-01), the Site Development Plan Review [Z-0011-01(1)], and all other subsequent site-related actions.

CHAIRMAN GALATI stated the Consent items may be discussed if a Commission Member or Applicant so desires.

Truesdell -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining because KB Home Nevada, Inc. is a client of his law firm.**

ANDREW REED, Planning and Development, stated the Rezoning and Site Development Plan Review for this site were approved by the City Council at their last meeting. That approval will require Condition No. 2 to be changed as follows:

"The multi-use trail required on the south side of Alexander Road shall conform to the Conditions of Approval for Zoning Application Z-0011-01 and Site Development Plan Review Z-0011-01(1)."

RUSSELL SKUSE, Tetra Tech Engineering, Inc., 401 North Buffalo Drive, Suite 100, appeared to represent KB Home Nevada, Inc. He concurred with staff's conditions.

**This is final action.**

(6:08 - 6:10) 1 - 280

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### ITEM

### ACTION

**TM-0018-01 - GOLDRUSH III - ALBERT MASSI, ET AL ON BEHALF OF KB HOME NEVADA, INC.**

APPROVED

4. Street names must be provided in accord with the City's Street Naming Regulations.

5. All development is subject to the conditions of City departments and State Subdivision Statutes.

6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

#### Public Works

7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits or the recordation of a Final Map.

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City.

No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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### ITEM

### ACTION

**A-2.**

**TM-0019-01 - WESTLAND FAIR - WEINGARTEN NOSTAT, INC.**

Request for a Tentative Map for 7 lots on 53.80 Acres at the southeast corner of Charleston Boulevard and Decatur Boulevard, C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map, a new Tentative Map must be filed.

2. All development is subject to the conditions of City departments and State Subdivision Statutes.

3. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

4. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:

On-site sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.

On-site sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**This is final action.**

(6:07 - 6:08) 1 - 240

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**TM-0019-01 - WESTLAND FAIR - WEINGARTEN NOSTAT, INC.**

**APPROVED**

On-site sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.

5. Site development to comply with all applicable Conditions of Approval for Z-75-62(17) and all other subsequent site-related actions.

6. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



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### ITEM

### ACTION

**A-3.**

**TM-0045-99(2) - PAIUTE CROSSING AT  
TULE SPRINGS 2 - W.L. HOMES, LIMITED  
LIABILITY COMPANY ON BEHALF OF JOHN  
LAING HOMES**

Request for Reinstatement and Extension of Time of an Approved Tentative Map for 133 Lots on 38.25 Acres on the north side of Racel Street, east of Durango Drive, R-E (Residence Estates) Zone Under Resolution of Intent To R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL,  
subject to:

Planning and Development

1. This Tentative Map will expire on February 24, 2002.
2. Conformance to all Conditions of Approval of the original Tentative Map (TM-0045-99) and all subsequent site-related cases.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**This is final action.**

(6:07 - 6:08) 1 - 240

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### ITEM

### ACTION

**A-4.**

**TM-0010-00(1) - COPPERFIELD - U.S. HOMES CORPORATION**

Request for an Extension of Time on an Approved Tentative Map for 100 lots on 30.46 Acres on the north side of Azure Drive, between Jones Boulevard and Torrey Pines Drive, R-PD3 (Residential Planned Development – 3 Units per Acre) Zone, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Tentative Map will expire on April 13, 2002.

2. Conformance to all Conditions of Approval of the original Tentative Map (TM-0010-00) and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**This is final action.**

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### ITEM

### ACTION

**A-5.**

**VAC-0004-00(1) - COX COMMUNICATIONS OF LAS VEGAS, INC.**

Request for an Extension of Time on an approved Vacation to vacate excess right-of-way generally located at the northeast intersection of Rancho Drive and Bonanza Road from Ernest May Lane to Dike Lane, Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If the Order of Vacation is not recorded by July 5, 2002, then approval will terminate and a new petition must be submitted, unless the Planning Commission approves another Extension of Time.
2. All previous Conditions of Approval for VAC-0004-00 and all other site-related actions must be satisfied.
3. Original Condition of Approval #6 shall be revised to read: "All existing public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation."

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**This is final action.**

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### ITEM

### ACTION

**A-6.**

**A-0024-99(A) - CITY OF LAS VEGAS**

Petition to Annex property generally located on the northwest corner of Lone Mountain Road and Hualapai Way, APN: 126-36-401-001, containing approximately 200 acres of land, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**To be forwarded to the City Council in Ordinance form.**

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### ITEM

### ACTION

**A-7.**

**A-0023-01(A) - CITY OF LAS VEGAS**

Petition to Annex property generally located on the northwest corner of Centennial Parkway and Fort Apache Road, APN: 125-19-802-006, containing approximately 20 acres of land, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**To be forwarded to the City Council in Ordinance form.**

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### ITEM

### ACTION

**A-8.**

**A-0024-01(A) - CITY OF LAS VEGAS**

Petition to Annex property generally located on the north side of Iron Mountain Road, approximately 1370 feet west of Hualapai Way, APN: 126-01-801-015, containing approximately 5.0 acres of land, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**To be forwarded to the City Council in Ordinance form.**

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### ACTION

**A-9.**

**A-0025-01(A) - CITY OF LAS VEGAS**

Petition to Annex property generally located on the north side of Iron Mountain Road, approximately 660 feet east of the Shaumber Road alignment, APN: 126-01-401-013, containing approximately 10.0 acres of land, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**To be forwarded to the City Council in Ordinance form.**

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### ACTION

**A-10.**

**A-0026-01(A) - CITY OF LAS VEGAS**

Petition to Annex property generally located on the south side of Grand Teton Road, approximately 1,000 feet west of Hualapai Way, APN: 126-13-601-002, containing approximately 95 acres of land, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**To be forwarded to the City Council in Ordinance form.**

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### ITEM

### ACTION

**A-11.**

**A-0027-01(A) - CITY OF LAS VEGAS**

Petition to Annex property generally located on the south side of Grand Teton Road, approximately 340 feet west of Larry McBryde Street, APN: 126-13-101-005, containing approximately 5.0 acres of land, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**To be forwarded to the City Council in Ordinance form.**

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### ITEM

### ACTION

**A-12.**

**A-0028-01(A) - CITY OF LAS VEGAS**

Petition to Annex property generally located on the southwest corner of Grand Teton Road and Hualapai Way, APN: 126-13-501-002, containing approximately 10.0 acres of land, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**To be forwarded to the City Council in Ordinance form.**

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### ITEM

### ACTION

**A-13.**

**A-0029-01(A) - CITY OF LAS VEGAS**

Petition to Annex property generally located on the northwest corner of Grand Canyon Drive and Farm Road, APN: 125-18-201-009, containing approximately 5 acres of land, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**To be forwarded to the City Council in Ordinance form.**

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### ACTION

**A-14.**

**A-0030-01(A) - CLAIR E. & BEVERLY J. COHICK REVOCABLE LIVING TRUST, ET AL**

Petition to Annex property generally located on the south side of Madre Mesa Drive, approximately 700 feet west of Decatur Boulevard, Assessor's Parcel Number 138-13-701-024, 025, 045 & 046, containing approximately 2.14 acres of land, Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

**APPROVED ITEM NOS. A-2 THROUGH A-14, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining on Item No. A-3 since his law firm represents John Laing Homes.**

ANDREW REED, Planning and Development, stated this is a Consent item.

**To be forwarded to the City Council in Ordinance form.**

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM	ACTION
<b>B.</b>	NONE
<u>DIRECTOR'S BUSINESS:</u>	
<b>B-1.</b>	
There are no items for consideration at this time.	

# PLANNING COMMISSION

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### ITEM

### ACTION

C.

#### PUBLIC HEARING ITEMS:

C-1.

#### ABEYANCE - RENOTIFICATION - GPA-0003-01 - STEINBERG LIVING TRUST

Discussion and possible action on a request to amend a portion of the Southeast Sector of the General Plan FROM: R (Rural Density Residential) TO: O (Office) of 2.82 Acres on the east side of Rancho Drive, approximately 300 feet south of Charleston Boulevard (APN's: 162-04-101-011, 012 and 014), Ward 1 (M. McDonald).

NOTICES MAILED 111 [Mailed with Z-0013-01] (5/10/01 PC)  
111 [Mailed with Z-0013-01] (4/12/01 PC)

APPROVALS 24 (Petition)  
1 Speaker

PROTESTS 61 (4 inside notification radius, 57 outside notification radius) (34 are duplicate protests from 4-12) [see Z-0013-01 for copies of petitions]  
37 (37 outside notification radius) (4/12/01 PC)  
6 Speakers  
91 (Petition)

STAFF RECOMMENDATION: DENIAL

Truesdell -  
**APPROVED**

**Motion carried with Buckley abstaining because his brother has a financial interest in this project and Gordon abstaining because his company owns a Rite-Aid drug store in close proximity.**

NOTE: COMMISSIONER QUINN said he spoke to the City Attorney and even though Attorney John Moran Jr's. firm is representing his company, he felt he could hear this case and make an unbiased decision.

SCOTT ALBRIGHT, Planning and Development, stated the applicant is requesting this General Plan Amendment in order to allow for the construction of an office complex and has provided three reasons in support of the request.

Staff recommended denial because the majority of the subject property is located within a Rural Preservation Neighborhood, as defined by the Nevada Revised Statutes. Development within those areas is severely restricted by state law.

Back in 1999, the Nevada State Legislature added to the Nevada Revised Statutes, Section 278.261, legislation to preserve certain low-density residential neighborhoods based on select criteria and create a buffer surrounding Rural Preservation Neighborhoods. The intent of that legislation may not have been to consider areas under these particular circumstances, i.e., an older neighborhood in the city that is along a redevelopment corridor. The law as written must be applied city-wide. In accordance with this criteria, the two southern lots of the three lots contained within the subject site meet the above-stated criteria and are therefore considered part of the rural preservation neighborhood. Staff's opinion is that the law prohibits these lots from being planned or rezoned for more intense use and any action to the contrary would be in violation of state law. Until the established time period for this law elapses, which is May 31, 2004, development or redevelopment opportunities on these two lots appears to be limited.

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### ACTION

**ABEYANCE - RENOTIFICATION - GPA-  
0003-01 - STEINBERG LIVING TRUST**

The northern lot falls within the mandated buffer area of this Rural Preservation Neighborhood. The state law indicates that within this buffer area the density may not exceed three dwelling units per acre. However, there is a clause within the law applicable to the buffer areas that only allows the governing body to allow a greater density or intensity provided good cause is shown. It would be inappropriate to allow a greater intensity on this specific portion as good cause does not exist in this case.

Secondly, staff is recommending denial because an office designation would represent a non-residential intrusion into a stable residential neighborhood and could set a dangerous precedent for parcels under similar circumstances along this section of the Rancho corridor.

The City of Las Vegas Zoning Ordinance, Chapter 19A.18.030.i, requires four conditions be met in order to justify a General Plan Amendment. All those conditions are not being met at this time, specifically Sub-sections 1 and 2.

The Las Vegas 2020 Master Plan has identified the Charleston/Rancho intersection as an appropriate location for a transient oriented mixed-use urban hub. The subject properties could be an integral part of that hub. Furthermore, this neighborhood is not ready to make this transition to a more urbanized land use pattern, as it remains a solid low-density residential community. The eventual transition of this critical intersection should occur at a much larger scale, not in a piecemeal fashion, and at such time when the necessary infrastructure to support an urban hub is in place and is no longer affected by rural preservation legislation.

ATTORNEY JOHN MORAN, JR., Moran & Associates, 630 South 4th Street, appeared along with Lucy Stewart, Dave Mason, one of the owners, and Ted Egerton, Lochsa Engineering, 5829 Spring Mountain Road, to represent the applicant.

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**ABEYANCE - RENOTIFICATION - GPA-  
0003-01 - STEINBERG LIVING TRUST**

LUCY STEWART, Steinberg Living Trust, 516 South 6th Street, #400, began their presentation by indicating this site is located just south and east of the intersection of Rancho and Charleston. Directly north is a service station, medical facility and east a funeral home. To the north and west is a day care center. On the north side are commercial businesses, shopping center, and some offices. Farther north on Rancho are garden offices next to single-family homes. To the north and east is the UMC medical complex with its accessory uses. This request is for garden offices. There are three buildings for a total of 37,304 square feet, one story in height, with the exception of the northern-most building, which has a two-story component. The architectural style is residential in character. There is landscaping throughout the entire project and along the perimeter wall to provide screening to the residential to the east. There is landscaping along Rancho Drive for screening.

This site will be accessed by left and right turns into the site. However, it will be right turn only out of the site. At the neighborhood meeting there was a concern expressed about visibility to the driveway on the south to the home, so they will do whatever it takes to provide low type landscaping, etc. to make it a safe driveway and visibility for that neighbor. In addition, this property owner is going to dedicate additional land along the west property line on Rancho for improvements to the intersection.

TED EGERTON, Lochsa Engineering, 5828 West Spring Mountain Road, appeared to represent the applicant. Currently, Rancho Drive carries from 31,000 to 43,000 vehicles per day. This project is anticipated to generate 411 trips per day. In discussions with the developer, Rancho Drive carries quite a few vehicles and with the intersection at Charleston, the levels of service could be improved. In order to accomplish that, the developer has agreed to dedicate additional right-of-way along Rancho Drive for the installation of future dual left turn lanes. That will improve the levels of service at that intersection. The developer will be dedicating site restriction easements at the driveway and dedicating site restriction easements limited to 30 inches of vegetation at the southern edge of the property in order to accommodate the neighbor to the south.

In regard to parking, currently the ITE parking generation manual for a project of this size recommends 109 parking stalls for this project. They are supplying over 130 parking stalls so parking should not be a problem with this site.



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They will be meeting with the Traffic Engineering Department for the design of the driveway.

DAVE MASON, 1128 South Rancho Drive, one of the owners, appeared to represent the application. There were three houses on the property when he originally purchased it. He had a problem with vagrants. It is difficult to find persons that want to live in his small houses on a busy street. This property is unique in that it is adjacent to commercial uses on half of the property.

ROBIN COMMANCHO, 4155 Big Dipper Court, appeared to represent the applicant. She has worked for State Senator Jon Porter, who created the Rural Preservation Neighborhood. In the summer of 1998 she approached Lucy Stewart about crafting a bill to address rural areas. That bill addresses non-commercial animals. There is a time limit on the legislation of May 31, 2004 because Senator Porter agreed with the cities of North Las Vegas, Las Vegas, Henderson and Clark County that it should be voluntary and at the end of that time period it is his intention to look at ordinances that have been adopted by the municipalities and to proceed from there. It was never intended for this bill to be applied to urban areas and infill pieces.

ATTORNEY MORAN noted that it is clear to anybody who has traveled Rancho Drive in the Charleston Boulevard area to know what has happened in that area as to those two major thoroughfares. The Scotch 80's, etc. has been grossly impacted by projects that have been previously approved. This is a unique piece of property. This property abuts a gas station/convenience store on the southeast corner of Charleston and Rancho. Next to the gas station on Charleston is a recently approved multi-story Quick Care Center. The area has been changing. This 2.82 acres has a dilapidated structure on it. There will not be any homes built in this area. This property will be the focal point for trash and transients, etc. just because of its location. Proper zoning protects the neighborhood that is existing and takes into consideration changes and adjacent uses. This project is a step down less intense use; two stories along the UMC/gas station site. Those two stories will buffer the noise on Charleston from going into the neighborhood. This property has a residential nomenclature and fits in well with the nicer homes in the area.

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**ABEYANCE - RENOTIFICATION - GPA-  
0003-01 - STEINBERG LIVING TRUST**

He noted that NRS 278.261 states that a governing body, for good cause shown, allows a greater density or intensity of use when that use is less than 330 feet from a Rural Preservation Neighborhood. This building will be closed on weekends and evenings. It will be vacant, but have security. When Quail Park was approved years ago, there were protestants. It was approved and many neighbors have said they were wrong in protesting that commercial center.

CHAIRMAN GALATI declared the Public Hearing open.

COMMISSIONER QUINN asked the protestants to state how they perceive this property to be developed.

RICHARD RUDIAK, 2244 Edgewood Avenue, appeared in protest. He commended Mr. Mason in meeting with the neighbors. This is a nice project but inappropriate for the neighborhood. When the gas station was constructed there was a green belt placed adjacent to it by the City saying that is where the line is drawn between what will be permitted to change and what will not be permitted. People should be able to rely on that commitment. This property could be developed residentially. He was fearful that if motorists miss the entrance to this building, then they will go turning around on his street. Further, there may be spillover traffic onto the adjacent streets.

ROBERT APPLE, 1405 Strong Drive, appeared in protest. **His neighbor, Lynn Hansen, was unable to attend this meeting, but gave him a petition to present for a total of 91 signatures representing the neighbors objecting to this project.** He was concerned about the increase in traffic. This will set a precedent. He was also concerned about pollution and noise this will bring into the neighborhood. Mr. Mason acquired this property in June of 1999. This property should be developed residentially.

DIRK RAVENHOLT, 1223 Westlund Drive, appeared in protest. He was concerned about the increase in traffic. Zoning is for the citizens to master plan their community. There are approximately 15 properties that could be developed with this type of office use. However, this lot is less expensive because it was zoned rural when the applicant purchased it. When land is used up then that would be the time to rezone it. These homes are easy to sell because it is convenient to downtown, etc.

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**ABEYANCE - RENOTIFICATION - GPA-  
0003-01 - STEINBERG LIVING TRUST**

PAUL HEJMANOWSKI, 708 Campbell Drive, appeared in protest. This is a commercial encroachment. The argument is that lots next to commercial should also be developed commercially, which means commercial keeps expanding. Many of the houses don't have sidewalks.

DONALD MOSLEY, 1127 Westlund Drive, appeared in protest. He has been coming to meetings for the last fifteen years in regard to developments in his neighborhood. He was concerned about an increase in traffic, setting a precedent, the left-turn entrance, etc. A neighborhood plan is being contemplated by the City, which would set aside certain neighborhood areas; in this case, Rancho from Charleston to Sahara, Oakey from Valley View to Martin L. King. That plan would stop commercial requests for rezoning. This application could be held in abeyance for further study, passage with proviso that some assurance be incorporated to insure that the surrounding neighborhood would not be encompassed, or denied with the possibility of implementing a neighborhood plan.

GEORGE RITTER, 229 West Baltimore Avenue, appeared in protest. He will be building a home at One Crescent Drive. This should be kept as a neighborhood.

KEVIN BUCKLEY, 804 Lacy Lane, appeared in approval. This property is not feasible for residential. He lived on Pinto Lane when Quail Park was proposed and was against it, but was wrong. This will not destroy the neighborhood.

CHAIRMAN GALATI declared the Public Hearing closed.

ATTORNEY MORAN appeared in rebuttal. **He submitted a petition with 23 signatures in approval.** Some of the speakers at this meeting who are in opposition have opposed other projects that he has represented in this neighborhood, but they were subsequently approved. This is not horse country. This property is not in the middle of a neighborhood. This is a right in/right out type of ingress/egress.

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### ACTION

**ABEYANCE - RENOTIFICATION - GPA-  
0003-01 - STEINBERG LIVING TRUST**

COMMISSIONER GALATI did not feel the Planning Commission has the purview to decide what the Legislature intended for this property. He asked Deputy City Attorney Scott if the Planning Commission can make a decision on this piece. DEPUTY CITY ATTORNEY SCOTT responded that the City Attorney's Office reviewed these parcels. The two parcels to the south are within the Rural Preservation Neighborhood. The one parcel would fall within the exception of NRS 278.261, paragraph 4, which states that the governing body may for good cause allow greater density or intensity of use when that use is less than 330 feet from a Rural Preservation Neighborhood.

COMMISSIONER TRUESDELL commented that there are 40,000-plus cars on Charleston, as well as Rancho. This is not a residential site. Over the years Rancho has changed. The 400 trips per day will not change the complexion of this intersection. This area needs a neighborhood plan. He did not feel this would set a precedent for Rancho Drive. There is no need for a two-story facility on the north end of this site. Lighting needs to be dealt with. The applicant should be involved in the neighborhood plan. He does not want a signage other than to identify the address.

COMMISSIONER QUINN said he cannot imagine residential on this property. The Rancho Drive corridor is no longer a residential neighborhood. The traffic will not get any better. This is as good as this property can be developed. There will not be any people visiting this building on the weekends and it will be a perfect buffer from noise. The gas station is noisy.

COMMISSIONER GOYNES referred to the NRS statute, No. 4, where it indicates property can be rezoned for good cause. The traffic will not decrease.

CHAIRMAN GALATI commented that he did not feel the Legislature should get involved in local development.

DEPUTY CITY ATTORNEY SCOTT advised that the Planning Commission can take action on this project if they feel it will preserve the rural preservation area.

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### ITEM

### ACTION

**ABEYANCE - RENOTIFICATION - GPA-  
0003-01 - STEINBERG LIVING TRUST**

COMMISSIONER QUINN noted that the low-density residential element can be maintained with the submitted elevations. There can be adequate buffering and orderly and efficient land uses can be accomplished.

COMMISSIONER TRUESDELL noted that this project comprises three parcels.

CHAIRMAN GALATI said that when the Site Development Plan Review comes back that it should be a single story project to insure adequate parking.

COMMISSIONER LITTLEFIELD noted that there were 37 objections outside the radius.

COMMISSIONER QUINN commented that the finger islands should be eliminated to increase the parking spaces.

**To be heard by the City Council on June 20, 2001 - 1st on Planning and Development Agenda.**

(6:10 - 7:26) 1 - 335

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### ITEM

### ACTION

**C-2.**

#### **ABEYANCE - RENOTIFICATION - Z-0013-01** **- STEINBERG LIVING TRUST**

Request for a Rezoning FROM: R-E (Residence Estates) TO: P-R (Professional Office and Parking) Zone on 2.82 Acres on the east side of Rancho Drive, approximately 300 feet south of Charleston Boulevard (APN's: 162-04-101-011, 012 and 014), PROPOSED USE: OFFICE BUILDINGS, Ward 1 (M. McDonald).

**NOTICES MAILED**      111 (Mailed with GPA-0003-01) (5/10/01 PC)  
111 (Mailed with GPA-0003-01) (4/12/01 PC)

**APPROVALS**      24 (Petition)  
1 Speaker

**PROTESTS**      61 (4 inside notification radius, 57 outside notification radius) (34 are duplicate protests from 4-12)  
37 (37 outside notification radius) (4/12/01 PC)  
6 Speakers  
91 (Petition)

**STAFF RECOMMENDATION:** DENIAL.      If Approved, subject to:

#### **Planning and Development**

1. The applicant shall submit a Site Development Plan Review for Planning Commission consideration at a Public Hearing prior to the issuance of building permits.

#### **Public Works**

2. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Rancho Drive adjacent to this site prior to the issuance of any permits for this site.

3. Construct all incomplete half-street improvements on Rancho Drive adjacent to this site concurrent with development of this site.

Truesdell -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH ADDITIONAL CONDITION THAT WHEN THE SITE DEVELOPMENT PLAN REVIEW IS SUBMITTED THAT IT INDICATE A SINGLE STORY PROJECT AND SIGNAGE INCLUDED IN THAT REVIEW.**

**Motion carried with Buckley abstaining because his brother has a financial interest in this project and Gordon abstaining because his company owns a Rite-Aid drug store in close proximity.**

NOTE: COMMISSIONER QUINN said he spoke to the City Attorney and even though ATTORNEY JOHN MORAN JR's. firm is representing his company, he felt he could hear this case and make an unbiased decision.

ANDREW REED, Planning and Development, stated this request is not compatible with the surrounding zoning and land use patterns of the area. The site abuts single-family homes on half-acre lots to the east and south, and an established R-1 single-family residential subdivision exists to the west. There are no other properties designated for office or commercial development along the east side of Rancho Drive south of this site. Because the site plans are conceptual in nature, staff has added a condition requiring the applicant to submit a Site Development Plan Review for Planning Commission consideration if this request is approved. Staff recommended denial.

CHAIRMAN GALATI declared the Public Hearing open.

#### **APPEARANCES:**

ATTORNEY JOHN MORAN, JR., Moran and Associates  
LUCY STEWART, Steinberg Living Trust, 516 South 6th Street, #400

TED EGERTON, Lochsa Engineering, 5828 West Spring Mountain Road

DAVE MASON, 1128 South Rancho Drive

ROBIN COMMANCHO, 4155 Big Dipper Court

RICHARD RUDIAK, 2244 Edgewood Avenue

ROBERT APPLE, 1405 Strong Drive

DIRK RAVENHOLT, 1223 Westlund Drive

PAUL HEJMANOWSKI, 708 Campbell Drive

DONALD MOSLEY, 1127 Westlund Drive

GEORGE RITTER, 229 West Baltimore Avenue

KEVIN BUCKLEY, 804 Lacy Lane

DEPUTY CITY ATTORNEY BRYAN SCOTT

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### ITEM

### ACTION

**ABEYANCE - RENOTIFICATION - Z-0013-01**  
**- STEINBERG LIVING TRUST**

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

5. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

6. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Comply with the recommendations of the Traffic Engineering Representative. Driveways shall be aligned opposite to existing drives on the west side of Rancho Drive, or offset a sufficient distance there from, unless a median is constructed to prevent conflicting left-turn movements. The proposed driveway(s) accessing Rancho Drive shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation.

CHAIRMAN GALATI declared the Public Hearing closed.

**To be heard by the City Council on June 20, 2001 - 1st on Planning and Development Agenda.**

(6:10 - 7:26) 1 - 335

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### ITEM

### ACTION

**ABEYANCE - RENOTIFICATION - Z-0013-01**  
**- STEINBERG LIVING TRUST**

APPROVED

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.



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### ITEM

### ACTION

**ABEYANCE - RENOTIFICATION - Z-0013-01**  
**- STEINBERG LIVING TRUST**

APPROVED

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

9. Landscape and maintain all unimproved right-of-way on Rancho Drive adjacent to this site.

10. Submit an encroachment agreement and/or an application for an Occupancy Permit (as appropriate) for all landscaping and private improvements in the Rancho Road public right-of-way adjacent to this site prior to the issuance of any permits.

**Standard Conditions**

11. A Resolution of Intent with a two-year time limit.

12. All City Code requirements and design standards of all City departments must be satisfied.

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### ITEM

### ACTION

**C-3.**

**ABEYANCE - DB-0004-01 - CITY OF LAS VEGAS**

Discussion and Possible Action on a Public Safety Element Pursuant to NRS 278.150 and 160 to be adopted as a Component of the 2020 Master Plan.

NOTICES MAILED      NEWSPAPER  
ONLY (4/26/01 PC)

APPROVALS                      0

PROTESTS                      0

STAFF RECOMMENDATION:    APPROVAL

**Buckley -  
APPROVED  
Unanimous**

CHRIS KNIGHT, Planning and Development, stated the City of Las Vegas has been involved in a Master Planning process starting with the adoption of the Capstone document for Master Plan 2020 by the City Council in September of 2000. Other elements such as housing and population have come forward. This is a public safety element. It addresses police services, fire protection, drainage and flood control, geologic hazards, noise, transportation and hazardous materials. Those elements are not a required element of the Master Plan. The level of detail is at the option of the City of Las Vegas. The City has used the staff of Metro and the Fire Department in trying to implement some of their decision making in their long range planning. The City held a public meeting on April 10, 2001.

In regard to police services, there are two additional areas of commands, which are the large stations, one in the northwest portion and one in the southeast portion of the city. Also, there are three additional sub-area commands recommended in the northwest portion of the city. There were five BLM sites that have been targeted in this plan, of which three should end up as sub-area commands.

In relation to fire protection services, the City has worked with the Fire Department recommending seven new stations, mostly in the northwest portion of the city, because of the growth in that area.

In regard to the drainage and flood control facilities, staff recommends a number of detention basins and a number of miles of flood control to promote public safety.

Under geological hazards, US/GS mapping has been used to map the soils that may have subsidence issues. There is a recommendation of an on-going planning program addressing subsidence in the location of structures in those areas and the construction design standards be undertaken by the City. He said that COMMISSIONER BUCKLEY mentioned there is discussion at the state level concerning construction defects related to subsidence issues. The City will be looking further into that legislation.

In regard to noise, they have added a review into the design review process to look at the existing noise contours and what may happen.

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ITEM

ACTION

**ABEYANCE - DB-0004-01 - CITY OF LAS VEGAS**

From a transportation standpoint, the focus is on pedestrian movement. The Department of Public Works and Regional Transportation Commission are mandated for safety elements.

In the hazardous materials element, the most prominent hazardous material is the transportation of nuclear waste through the city. COMMISSIONER BUCKLEY has made suggestions on expanding this element.

Staff recommended approval.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

**To be forwarded to the City Council in Ordinance form.**

(7:26 - 7:31) 1 - 3425

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### ITEM

### ACTION

**C-4.**

**ABEYANCE - Z-0019-01 - F & F PARTNERS, ET AL**

Request for a Rezoning FROM: R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) TO: C-1 (Limited Commercial) on 31.7 acres on the northwest corner of the intersection of Centennial Parkway and Decatur Boulevard (APN: 125-24-802-003 through 009), PROPOSED USE: COMMERCIAL CENTER, Ward 6 (Mack).

NOTICES MAILED 110 (4/26/01 PC)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to approval of a Tentative Map, issuance of any permits, any site grading, and all development activity for the site.
3. The prior Rezoning approvals Z-0062-97 and Z-0107-00 are hereby expunged.
4. Commercial uses shall not operate between the hours of 11:00 PM and 6:00 AM.
5. Driveways off Rome Boulevard shall be prohibited.

**Gordon -**

**APPROVED, SUBJECT TO STAFF'S CONDITIONS DELETING CONDITION NOS. 4 AND 5.**

**Unanimous**

ANDREW REED, Planning and Development, stated this site is designated Service Commercial on Map 4 of the Centennial Hills Sector Plan of the General Plan. The requested C-1 (Limited Commercial) zoning is consistent with this General Plan designation. The commercial uses, if the hours of operation are restricted, will be compatible with surrounding Low-Density Residential land uses. Appropriate measures for buffering of adjacent residential land uses will also be necessary to provide compatibility including loading dock enclosures along Thom Boulevard and Rome Boulevard to reduce commercial loading noise impacts on the residential area and enhance the aesthetics of the rear face of the commercial buildings, which would include limitations on the type of wall mounted signage and lighting fixtures on the walls. Staff recommended approval, subject to the conditions.

STEVE RICHARDSON, Richardson Partnership, Inc., 6372 McLeod Drive, Suite #3, appeared to represent the applicant. In regard to the limited hours of operation, this is a major traffic intersection and this property merits a major commercial use, such as a supermarket. In Las Vegas the supermarkets are 24-hour operations. Many pharmacies are also open 24-hours. There would be a safety problem if the access to Rome Boulevard was prohibited. It would force the traffic onto Decatur Boulevard. There should be a controlled left turn and traffic light at Rome Boulevard and Decatur Boulevard, rather than Turkey Lane and Decatur Boulevard.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER GORDON thought Condition Nos. 4 and 5 should be deleted.

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### ITEM

### ACTION

#### **ABEYANCE - Z-0019-01 - F & F PARTNERS, ET AL**

##### Public Works

6. Vacate those portions of Turkey Lane that conflict with the development of this site prior to the issuance of any building or grading permits.

7. Dedicate 30 feet of right-of-way adjacent to this site for Rome Boulevard, 30 feet for Thom Boulevard, and 10 feet of additional right-of-way adjacent to APN#125-24-802-009 for Decatur Boulevard. Dedicate a 25 foot radius on the southeast corner of Rome Boulevard and Thom Boulevard and a 25 foot radius at the southwest corner of Rome Boulevard and Decatur Boulevard. Additionally, dedicate those portions of Centennial Parkway and Thom Boulevard to provide an appropriate corner radius acceptable to the City Engineer prior to the issuance of any permits.

8. Provide a copy of a recorded Joint Access and Parking Agreement between the seven parcels comprising the overall site prior to the issuance of any permits; alternatively, the applicant may record a Reversionary Map or Commercial Subdivision Map to eliminate the existing lot lines or establish intersite access rights prior to the issuance of any permits for this site.

9. Construct half-street improvements including appropriate overpaving on Thom Boulevard, Rome Boulevard, and Decatur Boulevard adjacent to this site concurrent with the first phase of development of this site. The applicant shall coordinate with the Clark County Beltway project to determine the southern most limits of the required Decatur Boulevard improvements. Also, construct the necessary improvements required for the corner radius at the intersection of Centennial Parkway and Thom Boulevard. Install all appurtenant underground

COMMISSIONER BUCKLEY asked how the signalization of Decatur Boulevard is coordinated with North Las Vegas.

BART ANDERSON, Public Works, responded that the signalization throughout the valley is coordinated by a regional company. The City has a representative on that body. There is currently no plan to signalize Rome and Decatur.

COMMISSIONER QUINN asked what will be developed on this property to warrant a 24-hour operation. The residential character needs to be protected to the north.

ALBERT FLANGAS, F&F Partners, Inc., 3275 South Jones Boulevard, Suite #105, commented that the access on Rome Boulevard is needed.

COMMISSIONER GORDON felt that when the site plan is brought before the Commission then the driveway on Rome Boulevard could be deleted. He made a motion for approval deleting Condition Nos. 4 and 5.

COMMISSIONER TRUESDELL added that when the site plan comes before the Commission the hours of operation could also be reviewed.

**To be heard by the City Council on June 20, 2001.**

(7:31 - 7:42) 2 - 100

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### ACTION

**ABEYANCE - Z-0019-01 - F & F PARTNERS, ET AL**

**APPROVED**

facilities, if any, adjacent to this site needed for the future traffic signal systems concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

10. Extend public sewer in Rome Boulevard to the western edge of this site to a location and depth acceptable to the City Engineer.

11. Construct sidewalk on at least one side of all driveways connecting this site to Rome Boulevard and Thom Boulevard, such sidewalk shall continue until the first intersection of the driveway with the on-site circulation network, and shall terminate in a handicap ramp meeting current City Standards.

12. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. All proposed traffic signal locations must receive City of North Las Vegas approval. In addition, the Traffic Impact Analysis shall address the feasibility and coordination of the southern most driveway on Decatur Boulevard with the Clark County Beltway. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all

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### ACTION

**ABEYANCE - Z-0019-01 - F & F PARTNERS, ET AL**

**APPROVED**

areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

13. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

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### ITEM

### ACTION

**C-5.**

**ABEYANCE - V-0008-01 - CITY OF LAS VEGAS ON BEHALF OF UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA**

Request for a Variance TO ALLOW FOR A 20 FOOT POLE SIGN WHERE A SECOND SIGN IS NOT PERMITTED ALONG THE SAME STREET FRONTAGE AND WHERE 5 FOOT IS THE MAXIMUM HEIGHT FOR A POLE SIGN located at 1700 Wheeler Peak Street (APN: 139-21-416-011), C-PB (Planned Business Park) Zone, Ward 5 (Weekly).

NOTICES MAILED 78 (3/8/01 PC)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL.

Truesdell -

**ABEYANCE TO THE JUNE 14, 2001 PLANNING COMMISSION MEETING (Applicant to meet with Architectural Review Committee to resolve issues related to this application).**

**Unanimous**

MR. REED, Planning and Development, stated this request is for a pole sign for Enterprise Park near Lake Mead and Martin L. King. The applicant is requesting this item be held in abeyance until the June 14, 2001 meeting so they can work with the Architectural Review Committee. Staff had no objection to the abeyance request.

There was no one present to represent this application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

**To be heard by the Planning Commission on June 14, 2001.**

(6:03 - 6:04) 1 - 100



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### ITEM

### ACTION

**C-6.**

**ABEYANCE - RENOTIFICATION - V-0014-01**  
**- MARY BARTSAS**

Request for a Variance TO ALLOW A SIX FOOT HIGH WROUGHT IRON FENCE IN THE FRONT YARD AREA WHERE FOUR FEET IS THE MAXIMUM HEIGHT ALLOWED at 2204 Santa Rosa Drive (APN: 162-03-416-007), R-1 (Single Family Residential) Zone, Ward 3 (Reese).

NOTICES MAILED      213 (5/10/01 PC  
                                 213 (4/12/01 PC)

APPROVALS      0

PROTESTS      0

STAFF RECOMMENDATION:    APPROVAL

Truesdell -  
**STRICKEN** (Administrative Deviation [AD-0008-01] had been previously approved).  
**Unanimous**

MR. REED, Planning and Development, stated staff has approved this request via an Administrative Deviation, so this Variance request is no longer necessary. This item should be stricken from the agenda.

There was no one present to represent this application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

**This is final action.**

(6:04 - 6:05) 1 - 140

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### ITEM

### ACTION

**C-7.**

**ABEYANCE - VAC-0003-01 - GREENGALE PROPERTIES, LIMITED LIABILITY COMPANY ON BEHALF OF JEFF GALE**

Petition to Vacate Rio Vista Street between Haley Avenue and Dorrell Lane, and Haley Avenue between Tenaya Way and Rio Vista Street, Ward 6 (Mack).

NOTICES MAILED 15 (4/12/01 PC)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

2. A Special Use Permit for private streets for Rio Vista Street and Haley Avenue shall be approved prior to the recordation of an Order of Vacation.

3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

4. All development shall be in conformance with code requirements and design standards of all City departments.

Truesdell -  
**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**  
**Unanimous**

LAURA MARTIN, Planning and Development, stated the applicant's justification letter states that the Vacations of the aforementioned rights-of-way will protect the historic and environmentally sensitive Gilcrease Ranch area. These rights-of-way will still allow access to adjacent properties. To insure access, staff is recommending a condition to obtain a Special Use Permit for private streets prior to the recordation of an Order of Vacation. With the conditions listed, the applicant's intent is to preserve an historic and environmental nature of the Gilcrease Ranch area. Staff recommended approval, subject to the conditions.

DEAN RASMUSON, Orion Engineering, 3068 East Sunset Road, #9, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

**To be heard by the City Council on June 20, 2001.**

(7:42 - 7:44) 2 - 415

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### ITEM

### ACTION

**ABEYANCE - VAC-0003-01 - GREENGALE PROPERTIES, LIMITED LIABILITY COMPANY ON BEHALF OF JEFF GALE**

APPROVED

Public Works

5. Provide proof that legal access acceptable to the property owners of Assessor's Parcel Numbers 125-22-601-004 and 125-22-601-020 adjacent to this site to the south will be preserved or provided prior to the recordation of an Order of Vacation for Haley Avenue.

6. An application to vacate the east half of Rio Vista Street and the south half of Haley Avenue must be submitted to Clark County and receive County approval. If such application is approved by the County, a 20-foot wide public sewer easement shall be retained for the existing public sewer main in Rio Vista Street. Orders of Vacation for both the County Vacation application and this Vacation application shall record simultaneously; if one cannot be recorded for any reason, neither shall record.

7. An update to the previously approved Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved as recommended by the approved drainage plan/study.

8. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

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**ABEYANCE - VAC-0003-01 - GREENGALE  
PROPERTIES, LIMITED LIABILITY COMPANY  
ON BEHALF OF JEFF GALE**

APPROVED

9. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #8 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

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### ITEM

### ACTION

**C-8.**

**V-0026-01 - WHISPERING TETON, LIMITED LIABILITY COMPANY**

Request for a Variance TO ALLOW 31,602 SQUARE FEET OF OPEN SPACE WHERE 48,111 SQUARE FEET OF OPEN SPACE IS THE MINIMUM REQUIRED FOR A RESIDENTIAL SUBDIVISION DEVELOPMENT on the southwest corner of Bradley Road and Grand Teton Road (APN: 125-13-101-004), R-E (Residence Estates) Zone, PROPOSED: R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

NOTICES MAILED 78

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0015-01) and Site Development Plan Review [Z-0015-01(1)].

2. This Variance shall expire in two years, unless it is exercised or an Extension of Time is granted by the City Council.

3. All City Code requirements and design standards of all City Departments, which are not affected by the approval of this Variance must be satisfied.

Quinn -

**ABEYANCE ITEM NOS. C-8 AND C-9 TO THE JUNE 14, 2001 PLANNING COMMISSION MEETING (Applicant to submit a site plan that complies with the open space requirements).**

**Motion carried with Buckley abstaining inasmuch as this project is across the street from the Lynbrook project which his law firm represents.**

TROY JESCHKE, Planning and Development Department, stated the applicant is requesting a 33% reduction in the open space. That is an excessive deviation from the minimum code requirements. In addition, the applicant has not provided any hardship justification for this request. Staff feels the applicant's hardship is financial and not applicable as a Variance justification. Staff recommended denial.

ED TANEY, Taney Engineering, 4445 South Jones Boulevard, #1, appeared to represent Consolidated Mortgage. Most of the issues were addressed when the zone change was discussed. This project is similar to others in the Summerlin area with a gated community, tree lined streets, quite a bit of open space adjacent to the streets, etc. When dealing with 20 and 30-acre tracts, their requirement is 10,000 to 15,000 square feet of open space. The open space being proposed for this project provides enough room for tot lots, volleyball, etc. There will be four-foot wide buffers on each side of the private drive back of curb. They feel they are entitled to an allowance because of that buffer. They have provided more than the open space adjacent to Bradley and Whispering Sands Drive. Where six feet is required they are providing ten feet.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. The applicant is computing the front yards and back yards as part of the open space. The codes are implemented for a reason.

CHAIRMAN GALATI declared the Public Hearing closed.

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### ITEM

### ACTION

**V-0026-01 - WHISPERING TETON, LIMITED  
LIABILITY COMPANY**

COMMISSIONER GORDON suggested eliminating the two lots that back up to the park and incorporating them into the park area. That would bring this project close to the required open space requirement and surround all the lots with a park. He asked if those two lots would meet the required open space.

MR. TANEY responded that if Lots 58 and 59 are incorporated into the two blocks on the north the open space requirement is met.

MR. JESCHKE said those two lots would meet the open space requirement. That was the original plan that was submitted. At the April 12, 2001 there was a rezoning and major modification for this property. This site plan was to be heard at that meeting, but it was held in abeyance because they changed their plan to delete those two lots, which then triggered the requirement for the open space Variance.

MR. TANEY agreed to incorporate Lots 58 and 59 into the north portion of the project.

CHAIRMAN GALATI said when this project was before the Planning Commission previously the applicant agreed to conform to the Iron Mountain Ranch Plan. This plan does not conform to it. The Planning Commission wants that plan adhered to. Perhaps this project should be held for 30 days to review the open space.

NOTE: See Item No. C-9 for related discussion.

**To be heard by the Planning Commission on June 14, 2001.**

(7:44 - 7:59) 2 - 500

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### ITEM

### ACTION

**C-9.**

**ABEYANCE - Z-0015-01(1) - WHISPERING TETON, LIMITED LIABILITY COMPANY**

Request for a Site Development Plan Review FOR A PROPOSED 63 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 16.71 Acres on the southwest corner of Bradley Road and Grand Teton Road (APN: 125-13-101-004), R-E (Residence Estates) Zone, PROPOSED R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

NOTICES MAILED 78 [Mailed with Z-0016-98(2) & Z-0015-01] (4/12/01 PC)

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. The developer shall reserve a 15-foot wide corridor adjacent to, but outside of, the dedicated right-of-way for Grand Teton Road, on the south side of the street, and an additional 5 feet of the public right-of-way for trail purposes in accordance with Map Seven of the Centennial Hills Sector Plan. The trail corridor shall be created as a separate lot or parcel, as a common element, separate from other adjacent common elements, and the developer shall grant a public trail easement overlying the entire area of the common element thus created. Concurrent with development of this site, the developer shall construct Trail improvements within this easement corridor in a manner acceptable to the Planning and Development Department and the Department of Public Works. The Homeowner's Association or similar management association of this development in perpetuity shall maintain landscaping and other improvements within the trail corridor, unless and until the City accepts an

Quinn -

**ABEYANCE MOTION FOR ITEM NOS. C-8 AND C-9 WAS MADE UNDER ITEM NO. C-8.**

**Motion carried with Buckley abstaining inasmuch as this project is across the street from the Lynbrook project which his law firm represents.**

TROY JESCHKE, Planning and Development Department, stated the applicant's justification letter explains that they intend to develop this site as a stand-alone piece that is not connected to the adjacent Iron Mountain Ranch Plan area. Access to this site will be from one gated entrance onto Bradley Road. All the lots will face 37-foot wide private streets. A 20-foot wide multi-use trail will be developed along the Grand Teton Road frontage. The proposed development will consist of 67 single-family residential lots with a typical lot size of 7,400 feet. The proposed residential floor plans will consist of one and two story homes ranging from 1,183 square feet to 2,602 square feet. A .73-acre open space will be located toward the east central portion of this site. The building elevations depict stucco exteriors and tile roofs with front loading garages. This development is proposing an inadequate amount of common open space and should be greatly increased to comply with the minimum R-PD zoning standards. Staff recommended denial.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ED TANEY, Taney Engineering  
TODD FARLOW, 240 North 19th Street

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. C-8 for related discussion.

**To be heard by the Planning Commission on June 14, 2001.**

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**ABEYANCE - Z-0015-01(1) - WHISPERING  
TETON, LIMITED LIABILITY COMPANY**

alternative maintenance. No above ground utility boxes that would substantially interfere with the use of the trail corridor will be allowed within the easement area.

2. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

3. The site plan shall be revised to depict the required 1.10 acres of common open space, including open space located in a central area of the site, or a variance from the open space requirement approved by the City Council, prior to approval of a Tentative Map for this project.

4. The setbacks for this development shall be a minimum of 18 feet to the front of the garage (measured from back of sidewalk where one exists, back of curb in all other instances), 5 feet on each side, 10 feet on the corner side, and 15 feet in the rear.

5. The landscaping plan shall be revised to depict the minimum requirements of the Iron Mountain Ranch Residential Planned Development Master Plan (Section 7.6.1). The landscaping along Grand Teton Road, Bradley Road and Whispering Sands Drive shall consist of a minimum of eight (8) twenty-four (24) or thirty (30) inch box trees; twelve (12) fifteen (15) gallon vertical evergreen trees; ten (10) five (5) gallon shrubs; and twenty (20) one (1) gallon shrubs, for every two hundred-fifty (250) feet of linear planter area.

6. The site plan / landscape plan shall be revised to depict the drainage easements converted to allow pedestrian access and to be able to access the Grand Teton Road and Bradley Road trails as required by the Comprehensive Planning Division.

ABEYANCE TO JUNE 14, 2001



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### ITEM

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**ABEYANCE - Z-0015-01(1) - WHISPERING  
TETON, LIMITED LIABILITY COMPANY**

**ABEYANCE TO JUNE 14, 2001**

7. The applicant shall construct, maintain and provide the required trail along the Grand Teton frontage, including a cross-section of the trail that must be submitted and approved prior to the submittal of the Tentative Map. The cross-section must comply with the standards of the Comprehensive Planning Division of the Department of Planning and Development.

8. The applicant shall construct and provide the required landscape median along Grand Teton Road, including a cross-section of the median that must be submitted and approved prior to the submittal of the Tentative Map. The cross-section must comply with the standards of the Comprehensive Planning Division of the Department of Planning and Development.

**Public Works**

9. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

10. Gated entry drives, if such are proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a.

11. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

12. Site development to comply with all applicable Conditions of Approval for Z-15-01 and all subsequent site-related actions.

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### ITEM

### ACTION

**C-10.**

**ABEYANCE - Z-0018-01(1), Z-0109-97(1) AND Z-0110-97(2) - BECKER REALTY, INC.**

Request for a Site Development Plan Review FOR A PROPOSED 262,640 SQUARE FOOT RETAIL COMMERCIAL DEVELOPMENT on 27.6 acres on the south side of the northern Beltway alignment, west of Decatur Boulevard (APN: 125-25-501-009 and 125-25-601-009), R-E (Residence Estates) and C-1 (Limited Commercial) Zones under Resolution of Intent to R-PD15 (Residential Planned Development - 15 Units Per Acre), [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack).

NOTICES MAILED 539 [Mailed with GPA-0008-01, Z-0018-01, and Z-0110-97(1)] (4/26/01 PC)

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: APPROVAL, subject to:

*Planning and Development*

1. The City Council shall approve a Rezoning to a C-1 (Limited Commercial) Zoning District.
2. This Site Development Plan Review shall expire on June 6, 2003 unless it is exercised or an Extension of Time is granted by the City Council.
3. The site plan and elevations shall demonstrate compliance with the Residential Adjacency Standards prior to the issuance of any permits, any site grading, and all development activity for the site.

Truesdell -

**ABEYANCE TO THE MAY 24, 2001 PLANNING COMMISSION MEETING (Applicant to address staff's concerns with site plan).**

**Motion carried with Buckley abstaining inasmuch as his law firm represents the applicant and Gordon abstaining inasmuch as one of the principals of this project is a partner of his firm.**

ANDREW REED, Planning and Development, stated this site plan depicts buildings concentrated in the west side of the site separated from the Decatur Boulevard street frontage by seven commercial pads and surface parking. The two largest major tenant spaces identified as Major A and Major B will be located at the northwestern and southwestern corners of this site. Retail shops will extend in an "L" configuration around the southwest corner of the Major B building.

The landscaping plan depicts street frontage planters of 10 feet wide and 12 feet wide abutting the three adjacent roadways and a 10-foot wide planter along the Centennial Parkway perimeter. The submitted building elevations depict a Mediterranean design theme. Exterior materials will consist of standing seam metal roof elements, painted concrete tilt-up walls and stone veneer.

In response to Senate Bill 191, the applicant has submitted an impact assessment, which includes a summary of those impacts that are attributable to this project. Mitigation measures for those impacts include a Traffic Impact Analysis to be prepared and submitted to the Department of Public Works and a Technical Drainage Study to be prepared by a Certified Civil Engineer.

The development plan does not contain sufficient information to determine whether or not compliance with the Residential Adjacency Standards has been achieved. The elevations should be revised to include a slope line that runs from the top of the structure to the adjacent residential property line. If this Site Development Plan Review is approved, staff has included a condition requiring submission of development plans that demonstrate compliance with the Residential Adjacency Standards.

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### ITEM

### ACTION

**ABEYANCE - Z-0018-01(1), Z-0109-97(1) AND Z-0110-97(2) - BECKER REALTY, INC.**

4. The site plan shall be revised to depict seating areas and appropriate landscaping within plazas adjacent to the Major B and Shops B buildings and between the Pad 5 and Pad 6 buildings abutting Decatur Boulevard, and no parking spaces abutting the sidewalks fronting the Major A and Major B buildings.

5. The site plan shall depict trash enclosure quantity and locations to be approved by the Planning and Development Department.

6. The landscaping plans shall be revised to depict planters of a minimum 15-foot width along all public street frontages, and to depict spacing of trees a maximum of 20 feet on-center within all perimeter planters, and within landscape planters along all three street frontages depict parking lot screening comprising either 30-inch high walls, 36-inch high living hedge, or berms.

7. The rear (west) elevations of the Major A building and the Major B building, and the north and south elevations of the Major A building shall be revised to depict varied façade planes with features including contrasting stucco material texture and colors to depict an arch effect similar to the design of the arcades along the building fronts, cornice pop-outs, and horizontal ceramic tile bands.

8. All proposed 'pad' building elevations shall demonstrate, to the satisfaction of Planning and Development Department staff, all side and rear 'pad' building elevations consistent with front elevations, reflecting at a minimum the varied rooflines, and regularly-spaced vertical facade elements.

9. Fuel island canopy elevations shall be submitted depicting, to the satisfaction of Planning and Development Department staff, varied facade planes and vertical elements to reduce the appearance of mass, and to provide design consistency with the building elevations.

This site is located in close proximity to Town Center and therefore, the site plan for this commercial property should demonstrate consistency with certain general design elements of the Town Center development standards.

If this project is approved, the site plan should be revised to depict seating areas and appropriate landscaping within plazas adjacent to the Major B and Shops B buildings and between the Pad 5 and Pad 6 buildings abutting Decatur Boulevard. Also, no parking spaces should abut the sidewalks fronting Major A and Major B buildings.

The proposed landscaping plan depicts landscaping below Title 19A and Urban Design Guidelines and Standards for a commercial development. The landscaping will have to be revised to depict landscape planters with a minimum 15 foot width along all public street frontages.

In order to be in compliance with Title 19A.12 requirements, the landscaping plan must be revised to depict the spacing of trees a maximum of 20 feet on center within all perimeter planters and within landscape planters along all three street frontages depicting parking lot screening comprising either 30 inch high walls, 36 high living hedge, or berms.

The west elevations for the Major A and Major B buildings show minimal visual relief or articulation and minimal visual relief along the north and south elevations of the Major A building. These elevations should be revised to depict various design features which might include contrasting stucco material, cornice pop-outs, and horizontal ceramic tile bands.

There is also a condition requiring the pad elevations and gasoline island canopy elevations to depict a design consistent with the building elevations of the main structures.

Finally, a master signage plan was not submitted for this request and the submitted building elevations do not depict wall signage. If this site plan review request is approved, there is a condition requiring the details of all exterior signage be submitted for approval by the Planning Commission and City Council prior to issuance of a Certificate of Occupancy.

Staff recommended approval, subject to the conditions.

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### ACTION

**ABEYANCE - Z-0018-01(1), Z-0109-97(1) AND Z-0110-97(2) - BECKER REALTY, INC.**

10. The rear (west) elevations of the Major A building and the Major B building and the north elevation of the Major A building shall depict a loading dock enclosure, consisting of a solid masonry wall of at least ten feet in height, along the length of the exterior side of the loading areas.

11. A Master Sign Plan shall be submitted for approval of Planning Commission and City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

13. All exterior lighting shall meet the standards of LVMC Section 19A.08.060 (C).

14. A lighting plan shall be approved by the Planning and Development Department, including photometric plans demonstrating parking lot lighting standard heights appropriate for surrounding residential areas, and use of 'shoe-box' fixtures and downward-directed lights within the parking lots and gasoline canopies. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings.

**Public Works**

15. This development shall utilize the existing 60' access easement, otherwise if an alternate access for the property to the west of this site is proposed, the existing 60' access easement shall be vacated and an appropriate access easement shall be granted prior to the development of this site.

CHAIRMAN GALATI asked staff if there is a condition requiring the applicant to have a driveway similar to the submitted plan. MR. REED responded that there is no condition to that effect.

PHILLIP NOURAFCHAN appeared indicating he is affiliated with the owners of part of this property. BARRY BECKER is the applicant but he had to go out of town. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

WINNOLA SMITH, 6024 Soft Springs Avenue, appeared in protest. She lives in her first home and does not want any apartments on this property. She would prefer it be developed commercial. CHAIRMAN GALATI clarified that the zoning was approved at a previous meeting. That rezoning application will be heard by the City Council at one of their future meetings.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL felt this application should be held and a plan submitted that can be seen prior to the meeting and comments made on it, rather than approve it with these conditions and then objections be made to the conditions in the future.

CHAIRMAN GALATI requested the applicant to make sure the plan has been submitted, if this request is held in abeyance, so that staff will have enough time to review it.

**To be heard by the Planning Commission on May 24, 2001.**

(7:59 - 8:14) 2 - 947

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### ACTION

**ABEYANCE - Z-0018-01(1), Z-0109-97(1) AND  
Z-0110-97(2) - BECKER REALTY, INC.**

**ABEYANCE TO MAY 24, 2001**

16. Construct half-street improvements including appropriate overpaving on Decatur Boulevard and Tropical Parkway adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

17. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

18. The submitted Traffic Impact Analysis must be approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard

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**ABEYANCE - Z-0018-01(1), Z-0109-97(1) AND  
Z-0110-97(2) - BECKER REALTY, INC.**

Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

ABEYANCE TO MAY 24, 2001

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**ABEYANCE - Z-0018-01(1), Z-0109-97(1) AND  
Z-0110-97(2) - BECKER REALTY, INC.**

20. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

21. Site development to comply with all applicable Conditions of Approval for Zoning Reclassifications Z-109-97, Z-18-01 all other subsequent site-related actions.

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### ACTION

**C-11.**

**V-0027-01 - GENE E. AND LYNNE R. WIGGINS**

Request for a Variance TO ALLOW AN EXISTING DETACHED ACCESSORY STRUCTURE 2 FEET 6 INCHES FROM THE SIDE PROPERTY LINE WHERE 3 FEET IS THE MINIMUM SETBACK ALLOWED at 1725 Carson Avenue (APN: 139-35-413-058), R-1 (Single Family Residential) Zone, Ward 5 (Weekly).

NOTICES MAILED 202

APPROVALS 1 Letter  
1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. All development must be in conformance with the plot plans and elevations.
2. City Code requirements and design standards of all City Departments which are not affected by the approval of this Variance must be satisfied.
3. The applicant shall submit complete plans to the Building and Safety Department for review and permits.
4. If the Building and Safety Department requires removal of the shed, which is the subject of this request, this Variance becomes null and void.

Quinn -  
**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**  
**Unanimous**

TROY JESCHKE, Planning and Development Department, stated the applicant's justification letter states that at the time the structure was placed on the property they were not aware that a building permit was necessary. The subject property is 8,221 square feet in size and zoned R-1 (Single-Family Residential). The wood sided accessory structure is located in the rear of the property, is approximately 316 square feet in size, and has a shingled roof. There are no unique or extraordinary circumstances to warrant approval of this request, nor has the applicant provided any justification for the requested setback relief. In addition, the subject site has no physical hardship related to it and thus represents a self-created hardship. Staff recommended denial.

GENE E. and LYNNE R. WIGGINS, 931 Ambrose Drive, appeared to represent the application. The letter they received from the City indicates this is a 16.7% encroachment. The building is already in place. The lot is 130 feet deep, 80 feet at the back, 50 feet at the front. They were requested by the City to submit an application for an Administrative Deviation and they got the neighbors to sign in approval. They want to obtain the proper building permits. **She concurred with the conditions and left the letter of approval from her neighbors with the Clerk.** This is a structure primarily used by MR. WIGGINS.

MR. JESCHKE explained that in reviewing the language that was approved under the Text Amendment for Administrative Deviations it does not apply to accessory structures, just the principle dwelling unit. Therefore, it was later determined this could not be approved by an Administrative Deviation.

MR. WIGGINS felt this structure is built better than his house.



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**V-0027-01 - GENE E. AND LYNNE R. WIGGINS**

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. If the neighbors do not object to this structure and it is structurally sound, this should be approved.

CHAIRMAN GALATI declared the Public Hearing closed.

**To be heard by the City Council on June 20, 2001.**

(8:14 - 8:21) 2 - 1520

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### ITEM

### ACTION

**C-12.**

**V-0028-01 - LEE GATES**

Request for a Variance TO ALLOW A PROPOSED MULTI-FAMILY RESIDENTIAL DWELLING TO BE CONSTRUCTED NINE FEET AND EIGHTEEN FEET FROM THE SIDE PROPERTY LINES WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SIDE SETBACK OF EIGHTY-SEVEN FEET at 512 West Adams Avenue (APN: 139-27-210-095), R-4 (High Density Residential) Zone, Ward 5 (Weekly).

NOTICES MAILED 125 (Mailed with SD-0023-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

*Planning and Development*

1. If this Variance is not exercised within two years from date of approval, the Variance shall be void unless an Extension of Time is granted.

2. Conformance to the Conditions of Approval of SD-0023-01.

3. All City Code requirements and design standards of all City departments must be satisfied.

**Gordon -  
APPROVED, SUBJECT TO STAFF'S CONDITIONS.  
Unanimous**

ANDREW REED, Planning and Development, stated a Variance is required from the east and west property lines because those properties are developed with single-family dwellings. However, this is a small parcel and there are other two-story multi-family uses in the vicinity. Staff recommended approval, subject to the conditions.

CLIFTON MARSHALL, Architect, 3426 Tiara Point Circle, appeared to represent the applicant.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-13 for related discussion.

**To be heard by the City Council on June 20, 2001.**

(8:21 - 8:28) 2 - 1817

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### ACTION

**C-13.**

#### **SD-0023-01 - LEE GATES**

Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter Landscaping FOR A PROPOSED 7-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT at 512 West Adams Avenue (APN: 139-27-210-095), R-4 (High Density Residential) Zone, Ward 5 (Weekly).

NOTICES MAILED 125 (Mailed with V-0028-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

#### Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is applied for by the applicant and granted by the City Council.

2. All development shall be in conformance with the Site Development plan and building elevations as amended by these conditions.

3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

4. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

**Gordon -**

**APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 11 AMENDED TO REQUIRE THE APPLICANT TO RECORD A COVENANT RUNNING WITH THE LAND AGREEMENT INDICATING THAT THE OWNER WILL FULFILL THE REQUIREMENTS OF THE ALLEY AT THE TIME THAT THE CITY DEEMS IT BE REQUIRED AND NO VEHICULAR ACCESS TO THE ALLEY BE PERMITTED. Unanimous**

ANDREW REED, Planning and Development, stated the applicant is proposing to construct a seven-unit two-story apartment building in the north portion of the site with a parking lot shown in the south. A 24-foot wide driveway provides access to Adams Avenue.

Landscaping along the street frontage consists of a 10 foot wide planter on the west side of the driveway and a six foot wide planter on the east side. Three Mondale pines are shown along Adams Avenue. Landscaping along the east and west property lines consists of six foot wide planters with five trees shown on each side. Landscaping along the rear property line adjacent to the alley consists of a 20-foot wide planter with three Mondale pines spaced at 35 feet on center.

The elevations depict a stucco exterior with a concrete tile roof. Staircases with a stucco finish matching that with the remainder of the structure are shown on the east and west sides of the building and provide access to the second floor units.

In order to provide a handicapped accessible route from Adams Avenue to the apartment building, the applicant is requesting a reduction in the amount of the required perimeter landscaping; specifically a six foot wide planter along Adams Avenue east of the proposed driveway where 10 feet is the minimum required. Staff has no objection because the applicant is proposing a significant amount of landscaping along the street frontage.

The stucco exterior and concrete tile roof are typical of development in the area and staff has no objection to the submitted elevation drawings.

Staff recommended approval, subject to the conditions.

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#### **SD-0023-01 - LEE GATES**

5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

6. All City Code requirements and design standards of all City departments must be satisfied.

7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

8. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.

9. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

#### **Public Works**

10. Coordinate with the City Surveyor to determine whether a Reversionary Map to revert the underlying lot lines to acreage is necessary; if such reversionary map is required, it shall record prior to the issuance of any building permits for this site.

11. Construct full-width alley paving adjacent to this site and extending either eastward or westward to tie into existing improvements concurrent with development of this site.

CLIFTON MARSHALL, Architect, 3426 Tiara Point Circle, appeared to represent the applicant. He requested Condition No. 11 be deleted because there is not going to be any access from the alley to the development.

BART ANDERSON, Public Works, responded that if the applicant would agree to a condition forbidding vehicular access to the alley, then a deferral would be accepted of the required improvements, subject to a Covenant Running With Land Agreement, but he was not in favor of deleting the requirement entirely.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-12 for related discussion.

**To be heard by the City Council on June 20, 2001.**

(8:21 - 8:28) 2 - 1817

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#### APPROVED

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new or modifications to existing driveways shall meet the approval of the Traffic Engineering Representative.

14. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No

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recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

**APPROVED**

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**C-14.**

**V-0029-01 - CARL L. WATSON AND WANDA R. FOSTER LIVING TRUST ON BEHALF OF IGLESIA PENECOSTAL UNIDA HISPANA**

Request for a Variance TO ALLOW A PROPOSED 12,289 SQUARE FOOT CHURCH BUILDING TO BE SET BACK 30 FEET FROM THE FRONT PROPERTY LINE WHERE THE MINIMUM REQUIRED FRONT YARD SETBACK IS 50 FEET on the southeast corner of Harris Avenue and Shelby Street, (APN's: 139-25-410-001 and 002), R-E (Residence Estates) Zone, Ward 3 (Reese).

NOTICES MAILED 59 (Mailed with U-0053-01)

APPROVALS 1 Read Into Record

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

*Planning and Development*

1. If this Variance is not exercised within two years from date of approval by the City Council it will become void unless an Extension of Time is granted by the City Council.

2. Conformance to the Conditions of Approval for U-0053-00 and any other site-related actions.

Gordon -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Galati abstaining inasmuch as this application involves his architectural firm.**

LAURA MARTIN, Planning and Development, stated many parcels adjacent to the Harris Avenue frontage between Eastern Avenue and Mojave Road are predominantly zoned Civic and R-3. Civic zoning allows public and quasi-public uses with a greater flexibility in determining front yard setbacks, while the R-3 zone provides a minimum 20-foot front yard setback. CV zoning is located to the north and R-3 to the west of the proposed church. The 30-foot front setback will not have a negative impact on the neighborhood or on the health, safety and welfare of the existing residents. The proposed building elevations and landscape plan is aesthetically pleasing with generous landscaping in the front setback area. Staff recommended approval, subject to the conditions.

RON SINGER, Lucchesi, Galati Architects, 500 Pilot Road, Suite A, appeared to represent the applicant.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

COMMISSIONER GOYNES stated that Cynthia Kirby, 721 Effinger Street, had to leave the meeting early, but she is in support of this project.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See Item No. C-15 for related discussion.

**To be heard by the City Council on June 20, 2001.**

(8:28 - 8:34) 2 - 2140

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### ITEM

### ACTION

**C-15.**

**U-0053-01 - CARL L. WATSON AND WANDA R. FOSTER LIVING TRUST ON BEHALF OF IGLESIA PENECOSTAL UNIDA HISPANA**

Request for a Special Use Permit and Site Development Plan Review FOR A PROPOSED 12,289 SQUARE FOOT CHURCH on the southeast corner of Harris Avenue and Shelby Street, (APN's: 139-25-410-001 and 002), R-E (Residence Estates) Zone, Ward 3 (Reese).

NOTICES MAILED 59 (Mailed with V-0029-01)

APPROVALS 1 Read Into Record

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

*Planning and Development*

1. If this Special Use Permit and Site Development Plan Review are not exercised within two years of the approval, this approval shall be void unless an Extension of Time is granted.

2. The landscape plan shall be revised to depict an eight-foot wide landscape planter on the east property line opposite of the proposed building. The landscape planter shall consist of 24-inch box trees spaced thirty feet on center, and 4 five-gallon shrubs per tree as required by the Las Vegas Urban Design Guidelines & Standards.

3. A Site Development Plan Review shall be required for all future development.

4. Conformance to all Minimum Requirements under Title 19A.04.050 for church/house of worship use.

5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Gordon -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Galati abstaining inasmuch as this application involves his architectural firm.**

LAURA MARTIN, Planning and Development, stated this site is zoned R-E (Residence Estates). A Special Use Permit is required in the R-E zoning district. This church will be located on the north portion of the L-shaped site adjacent to Harris Avenue. This church consists of a temple worship area, dining hall with a kitchen, two prayer rooms, four classrooms, a pastor's office, and administrative office. The site plan also indicates a play area.

The applicant is requesting a Variance to allow for a 30-foot front setback for the church. A minimum 30-foot wide landscape area is provided along the front property line adjacent to Harris Avenue, which consists of a dry riverbed and mixture of 24-inch box trees and five gallon shrubs and decomposed granite. The landscape plan indicates eight foot wide planters along most side and rear property lines with 24-inch box trees spaced approximately 20 to 25 feet on center. The landscape planter on the east property line opposite the proposed building is six feet wide. There is a condition requiring this landscape planter to be a minimum of eight feet wide with 24-inch box trees and shrubs, as required by the Las Vegas Urban Design Guidelines and Standards. The landscape plan also indicates landscaping consisting of trees and shrubs around the perimeter of the church building.

The building elevations portray salmon and tan split faced block interacted by a six inch gray band with fluted CSMU. The pitched dark gray roof consists of concrete slit tile. The elevations also indicate translucent wall panels on the roof above the temple area and on the front elevation, which will allow natural light into the church.

This church is compatible with the surrounding residential neighborhood.

Staff recommended approval, subject to the conditions.

RON SINGER, Lucchesi, Galati Architects, 500 Pilot Road, Suite A, appeared to represent the applicant.



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**U-0053-01 - CARL L. WATSON AND WANDA R. FOSTER LIVING TRUST ON BEHALF OF IGLESIA PENECOSTAL UNIDA HISPANA**

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

8. All exterior lighting shall meet the standards of LVMC Section 19A.08.060 (C).

9. If the applicant constructs a block wall, the wall shall be a maximum six-foot high decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. All mechanical equipment, air conditioners, and trash areas shall be screened from view from the abutting streets and alleys.

12. All City Code requirements and design standards of all City departments must be satisfied.

VICE CHAIRMAN TRUESELLE declared the Public Hearing open.

COMMISSIONER GOYNES stated that Cynthia Kirby, 721 Effinger Street, had to leave the meeting early, but she is in support of this project.

VICE CHAIRMAN TRUESELLE declared the Public Hearing closed.

NOTE: See Item No. C-14 for related discussion.

**To be heard by the City Council on June 20, 2001.**

(8:28 - 8:34) 2 - 2140

# PLANNING COMMISSION

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*City of Las Vegas*

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COUNCIL CHAMBERS • 400 STEWART AVENUE

### ITEM

### ACTION

**U-0053-01 - CARL L. WATSON AND WANDA  
R. FOSTER LIVING TRUST ON BEHALF OF  
IGLESIA PENECOSTAL UNIDA HISPANA**

APPROVED

Public Works

13. Dedicate 25.5 feet of right-of-way for a total street width of 51 feet on Effinger Street adjacent to this site prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

14. Construct all incomplete half-street improvements on Harris Avenue and Effinger Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

15. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer connection points prior to the submittal of sewer construction drawings. Site development shall comply with the recommendations of the Collection Systems Planning Section.

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

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### ITEM

### ACTION

**U-0053-01 - CARL L. WATSON AND WANDA R. FOSTER LIVING TRUST ON BEHALF OF IGLESIA PENECOSTAL UNIDA HISPANA**

APPROVED

17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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### ITEM

### ACTION

**C-16.**

#### **V-0020-91(2) - SAXTON DEVELOPMENT**

Required Five Year Review on an Approved Variance WHICH ALLOWED THE RELOCATION OF TWO OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS WITH A 550 FOOT SEPARATION BETWEEN THE SIGNS WHERE 750 FEET IS REQUIRED located on the northeast corner of Martin L. King Boulevard and Mineral Circle, (APN: 139-33-510-002), M (Industrial) Zone, Ward 5 (Weekly).

NOTICES MAILED 20

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

#### Planning and Development

1. This Variance shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

**Buckley -**

**APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 1 AMENDED TO A FIVE (5) YEAR REVIEW.**

**Unanimous**

TROY JESCHKE, Planning and Development Department, stated this request is for a second required five-year review of an approved Variance that allowed the relocation of two off-premise signs. The applicant relocated two 672 square foot off-premise advertising billboard signs along the US95 highway adjacent to the rear of the Levitz Furniture store. The I-15 and US95 interchange, spaghetti bowl, is located directly to the east of this site. Section 19A.14.100 of the Las Vegas Municipal Code allows the removal of an off-premise sign if the conditions in the surrounding area have been changed in such a way that the sign no longer meets the standards for approval of the Special Use Permit or Variance. The continued off-premise sign use on this site is appropriate and that no significant changes have taken place in the last five years, since the last review. Staff recommended approval, subject to the conditions.

R. VAN NOSTRAND, Eller Outdoor Media Company, appeared to represent the applicant. This board was originally approved in 1991. In 1996 it had its second five-year review in which it was found that there were no significant improvements or changes in the area. The area is completely developed with commercial property. There are no other vacant lots to be developed. He requested a five-year approval.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER BUCKLEY pointed out that the spaghetti bowl has been improved, but this is a good use for this site. He made a motion for approval, subject to Condition No. 1 amended to a five-year review.

**To be heard by the City Council on June 20, 2001.**

(8:34 - 8:37) 2 - 2410

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### ITEM

### ACTION

**C-17.**

**U-0160-96 - HENRY C. AND RONA LIM**

Required Five Year Review on an Approved Variance/Use Permit WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN 250 FEET FROM A RESIDENTIALLY ZONED PROPERTY WHERE 300 FEET IS THE MINIMUM DISTANCE SEPARATION ALLOWED ON PROPERTY located at 1100 South Jones Boulevard, (APN: 163-01-101-007), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 41

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

*Planning and Development*

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed for any period of time, this Variance/Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

Goynes -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley, Littlefield, and Truesdell voting NO.**

**FIRST MOTION:**

**Buckley made a motion for Denial, which failed inasmuch as Galati, Gordon, Goynes and Littlefield voted NO.**

TROY JESCHKE, Planning and Development Department, stated the Las Vegas Municipal Code, Title 19A.14.100, requires a minimum separation of 300 feet between an off-premise advertising billboard sign and any R (Residential) or U (Undeveloped) zone. In this case, when the sign was originally constructed there was an R-E zoned piece of property approximately 250 feet away from the sign, which has subsequently been rezoned to commercial. However, there is still a U (Undeveloped) zoned piece, which is 270 feet away from the property. While staff finds this use is typically not appropriate near residential areas, the sign has not been observed as being detrimental to the area. Section 19A.14.100 also allows for the removal of an off-premise sign if conditions in the surrounding area have changed in such a way that the off-premise sign no longer meets the standards for approval of the Special Use Permit. In this case, staff does not feel the area has substantially changed in the five years since the last Special Use Permit. Staff recommended approval, subject to the conditions.

TOM SKANCKE, The Skancke Company, 3225-B South Rainbow Boulevard, #204, appeared to represent the applicant. He concurred with staff's conditions. However, he would like to have Condition No. 1 amended to a five-year review. This area has not changed significantly since this billboard was put up five years ago.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

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### ITEM

### ACTION

#### U-0160-96 - HENRY C. AND RONA LIM

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

COMMISSIONER BUCKLEY commented that he felt the area has changed. There is a new corporate headquarters for Green Valley Grocers and there may be development to the east of Jones Boulevard. There are only two billboards on Jones south of US95. There has been a lot of development on the east side of the street.

**To be heard by the City Council on June 20, 2001.**

(8:37 - 8:43) 2 - 2574

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### ITEM

### ACTION

**C-18.**

**U-0048-01 - PLAZA NORTH ON BEHALF OF  
DON AND CLAUDIA GLOUDE**

Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (TASTE OF N'AWLINS) at 9320 Sun City Boulevard, #101 (APN: 138-18-614-001), PC (Planned Community) Zone, Ward 4 (Brown).

NOTICES MAILED 276

APPROVALS 1 (inside notification radius)  
1 Speaker

PROTESTS 1 (inside notification radius)  
1 Speaker

STAFF RECOMMENDATION: APPROVAL,  
subject to:

*Planning and Development*

1. If this Special Use Permit is not exercised within one year of the approval, this Special Use Permit shall be void unless an Extension of Time is granted.

2. Approval of this Special Use Permit does not constitute approval of a liquor license.

3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

4. All city Code requirements and all City departments' design standards shall be met.

Quinn -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Buckley abstaining inasmuch as Ken Templeton is a client of his law firm.**

LAURA MARTIN, Planning and Development, stated the sale of beer and wine for off-premise consumption is a permitted use with the approval of a Special Use Permit with the commercial designation of the Sun City Planned Community. The City of Las Vegas Zoning Code establishes criteria for the approval of alcohol related uses. The code requires the sale of on-premise beer and wine to be a minimum of 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or City park, as measured from property line to property line. In this case, there are no protected uses in this distance requirement. The sale of beer and wine for on-premise consumption will be an accessory use to the existing restaurant and can be conducted in a manner that is harmonious and compatible with development in the area. Staff recommended approval, subject to the conditions.

DARLENE SANDRY appeared to represent Ken Templeton Realty.

DON GLOUDE, 8019 Skywall Court, appeared to represent the application. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

JIM BEAMER, Sun City Summerlin Board of Directors and Chairman of the Deed Restriction Enforcement Committee, appeared in protest. In their CC&R's, Article 4, Section 2.p., there is a statement: no application for rezoning of any lot or parcel and no applications for Variances or Use Permits shall be filed with any governmental authority unless the use of the latter parcel has been approved by the Board and the proposed use complies with this declaration and any applicable declaration.

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### ITEM

### ACTION

**U-0048-01 - PLAZA NORTH ON BEHALF OF  
DON AND CLAUDIA GLOUDE**

TODD FARLOW, 240 North 19th Street, appeared in approval. Service bars in conjunction with restaurants are appropriate.

CHAIRMAN GALATI declared the Public Hearing closed.

DON GLOUDE said his lease does not state he has to appear before the Sun City Board to get permission to apply for a beer and wine license; however, it had been discussed with the owner of the center.

COMMISSIONER GORDON asked if the Planning Commission were to approve this application whether it could be approved subject to the applicant obtaining the approval from the Sun City Summerlin Board. DEPUTY CITY ATTORNEY SCOTT said the Code provides that the Planning Commission and City Council does not enforce private covenants. That could be taken into consideration, but it can be approved irregardless of that covenant.

CHAIRMAN GALATI felt the applicant should go before the Summerlin Board.

**To be heard by the City Council on June 20, 2001.**

(8:43 - 8:48) 2 - 2840



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### ITEM

### ACTION

**C-19.**

**U-0049-01 - WILLIAM MIGUEL ON BEHALF OF E & T PRODUCE COMPANY, LIMITED LIABILITY COMPANY**

Request for a Special Use Permit and a Waiver of the minimum 400 foot separation from an existing child care facility TO ALLOW PACKAGED LIQUOR SALES IN CONJUNCTION WITH A GROCERY STORE (King Ranch Market) located at 755 North Nellis Boulevard, (APN's: 140-29-802-003 and 005), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

NOTICES MAILED 259

APPROVALS 1 (1 inside notification)

PROTESTS 1

STAFF RECOMMENDATION: APPROVAL, subject to:

*Planning and Development*

1. This approval constitutes a waiver of the Minimum Separation Requirement of Title 19A.04.050 between a Liquor Establishment (Off-Premise Consumption) use and a child care facility.

2. Conformance to all other Minimum Requirements under Title 19A.04.050 for the Liquor Establishment (Off-Premise Consumption) use.

3. This Special Use Permit shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

4. All City Code requirements and design standards of all City departments must be satisfied.

**Gordon -**  
**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**  
**Motion carried with Littlefield not voting.**

NOTE: COMMISSIONER QUINN stated that Moran & Associates represents his company on a minor issue, but he felt he could make a fair judgment on this item.

ANDREW REED, Planning and Development, stated the applicant's justification letter noted that a waiver is permitted by Title 19A for a retail establishment having between 20,000 and 50,000 square feet of retail floor space if more than 10% of the retail floor space is devoted to display or merchandising of alcoholic beverages. The applicant indicates that there will be 20,228 square feet of retail space in this 30,876 square foot building with 1,584 square feet of retail space, or 7.8% dedicated to the display or merchandising of alcoholic beverages. There is an Albertson's food store located at 610 North Nellis Boulevard that sells alcohol that is closer to the child-care facility than the subject site and has not had a negative impact on the child-care facility. Staff recommended approval, subject to the conditions.

ATTORNEY JEFF BENDAVID, Moran & Associates, appeared with the applicant, WILLIAM MIGUEL, E & T Produce Company, LLC, 328 West Huntington Drive, Monrovia, California. ATTORNEY BENDAVID concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

**To be heard by the City Council on June 20, 2001.**

(8:48 - 8:50) 2 - 3100

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ITEM

ACTION

**U-0049-01 - WILLIAM MIGUEL ON BEHALF  
OF E & T PRODUCE COMPANY, LIMITED  
LIABILITY COMPANY**

**APPROVED**

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.

7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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### ITEM

### ACTION

**C-20.**

**U-0051-01 - HALLE ENTERPRISES, LIMITED  
LIABILITY COMPANY ON BEHALF OF  
DISCOUNT TIRE COMPANY**

Request for a Special Use Permit FOR AN EXISTING 7,782 SQUARE FOOT MINOR AUTOMOTIVE REPAIR FACILITY (DISCOUNT TIRE) at 7401 West Lake Mead Boulevard (APN: 138-22-302-009), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown).

NOTICES MAILED 87

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,  
subject to:

Planning and Development

1. If this Special Use Permit is not exercised within one year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. All repair and service work shall be performed within a completely enclosed building.
3. Openings to the service bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
5. No outside storage of stock, equipment, or residual used equipment shall be located or stored in any open area outside of the enclosed building.

Truesdell -  
**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**  
Unanimous

TROY JESCHKE, Planning and Development Department, stated that in 1999 a Special Use Permit was approved for this site. However, the Use Permit expired before the business could open. This minor automotive repair facility can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses, including a mini-storage facility to the south, auto parts store to the east, and retail center to the west. Staff recommended approval, subject to the conditions.

RICHARD BARKER, Architectural Research Team, 411 North Central Avenue, Phoenix, Arizona, appeared to represent Discount Tire. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

**To be heard by the City Council on June 20, 2001.**

(6:10 - 6:12) 1 - 335

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### ITEM

### ACTION

**U-0051-01 - HALLE ENTERPRISES, LIMITED  
LIABILITY COMPANY ON BEHALF OF  
DISCOUNT TIRE COMPANY**

APPROVED

6. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

7. All City Code requirements and design standards of all City departments must be satisfied.

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### ITEM

### ACTION

**C-21.**

**U-0052-01 - DESERT SHORES GROUP,  
LIMITED LIABILITY COMPANY ON BEHALF OF  
SAUNDRA CORINTH**

Request for a Special Use Permit FOR A PROPOSED HYPNOTHERAPY BUSINESS at 2620 Regatta Drive #113 (APN: 138-16-714-001), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

NOTICES MAILED 225

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

*Planning and Development*

1. This approval does not constitute approval of a business license.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. If this Special Use Permit is not exercised within one year of the approval, this Special Use Permit shall be void unless an Extension of Time is granted.

**Gordon -  
APPROVED, SUBJECT TO STAFF'S CONDITIONS.  
Unanimous**

LAURA MARTIN, Planning and Development, stated this use will be conducted in conjunction with a wellness center, Body Remedies. The applicant's justification letter states that hypnotherapy is an often-requested therapy. It will be harmonious and compatible with the existing surrounding land uses and will be conducted in a manner largely undetectable from the exterior of the building. Staff recommended approval, subject to the conditions.

SAUNDRA CORINTH, 2620 Regatta Drive, appeared to represent the application. Hypnotherapy is the practice of hypnosis to induce positive changes and reverse negative programming in the subconscious mind. It has been recognized by the American Medical Association since 1958 for healing. It is used for behaviors of smoking, aesthesia, allergies, etc. She concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

**To be heard by the City Council on June 20, 2001.**

(8:50 - 8:53) 2 - 3250

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### ITEM

### ACTION

**C-22.**

**Z-0119-00(1) - JIMMY LEE BANKS, ET AL ON BEHALF OF JACK IN THE BOX, INC.**

Request for a Site Development Plan Review FOR A 2,867 SQUARE FOOT COMMERCIAL BUILDING (Jack In The Box) on the northeast corner of Martin L. King Boulevard and Lake Mead Boulevard, (APN's: 139-21-610-218, 219, 220, 221, and a portion of 139-21-610-296), R-2 (Medium-Low Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Weekly).

NOTICES MAILED 137

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. In conformance with Section 19A.08.060(D), direct vehicular access between this site and Hart Avenue is prohibited.
2. In accordance with Section 19A.08.060(G), the trash receptacle shall be moved so that it is at least 50 feet away from any residential property line.
3. The site plan shall be amended to depict handicap accessible parking spaces that are in conformance with Section 19A.10.010(G).
4. The site plan / landscape plan shall be amended to portray parking lot landscape islands that conform to the standards of Section 19A.12.040.
5. In conformance with the Las Vegas Urban Design Guidelines and Standards, the landscape plan shall be amended to depict 24-inch box tress spaced twenty-feet on center around the entire perimeter of the site.

**Gordon -**

**APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 1 DELETED.**

**Motion carried with Galati and Truesdell voting NO.**

TROY JESCHKE, Planning and Development Department, stated the applicant is proposing to construct a new 2,876 square foot restaurant with a drive-through (Jack In The Box) on this site. This building is on the southwest portion of this site with an open space shown to the north of the building. Parking is portrayed along the eastern half of the property. Access to this site will be from a 30-foot wide driveway from Lake Mead Boulevard to the south and a 32 foot wide driveway onto Hart Avenue on the north.

Landscaping is in planters that vary in width from 15 to 30 feet along the street frontages and a 12-foot wide planter along the eastern property line. All the planters depict trees 40 feet on center.

The elevations depict a building 22 feet in height and consisting of beige wall construction with red column accents and pitched metal seam roof. The submitted development plans do not adequately illustrate compatibility with adjacent development in that the site indicates access to a residential street and shows deficient landscaping as required by the Urban Design Guidelines and Standards. The handicapped parking and trash screening does not comply with Title 19A requirements.

Staff recommended denial.

JEFF LOOKER, Looker Architects, 1270 East Broadway, Suite 210, appeared to represent the applicant. This has curved columns and vertical towers. The issue with staff is the access to Hart Avenue. Heading to the east on Lake Mead if there is just one driveway to get into the site a motorist would have to go up the street, make a U turn and go back. Heading west a person could just make a right-hand turn in. Heading north on Martin L. King a person would have to go through Hart Street, back to Lake Mead and come in, or make a right on Lake Mead and a Uturn to come back in. Heading south on Martin L. King, a left at Lake Mead, U-Turn, and come back around, or make a left on Hart Avenue to get back on Lake Mead to get into the front. The street geometrics that govern this bus turnout and right turn lane don't allow for penetrations. There are distances from the corner to a future driveway, which would create a right and left turn out.

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### ITEM

### ACTION

**Z-0119-00(1) - JIMMY LEE BANKS, ET AL ON BEHALF OF JACK IN THE BOX, INC.**

6. All development shall be in conformance with the submitted site plan, landscape plans, and building elevations, except as amended by conditions.

7. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

Public Works

8. Dedicate appropriate right-of-way adjacent to this site for a bus turnout on Martin Luther King Boulevard in accordance with Standard Drawing #234.3 and for an exclusive right turn lane and left turn lanes at the intersection of Lake Mead Boulevard and Martin Luther King Boulevard in accordance with Standard Drawing #201.1.

9. Landscape and maintain all unimproved rights-of-way on Martin L. King Boulevard and Hart Street adjacent to this site.

10. Submit an Encroachment Agreement for all landscaping and private improvements located in the Martin L. King Boulevard and Hart Street public rights-of-way adjacent to this site prior to occupancy of this site.

11. Site development to comply with all applicable Conditions of Approval for Z-119-00 and all other site-related actions.

Standard Conditions

12. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

Another solution is to place the building in another location. To have a decent stack can be done either in the front or the back corner. If the building was put back in the corner it would put it closer to the residential and start to stack immediately. Their proposal would have the cars stack in the parking area.

JIMMY LEE BANKS, 6700 Lost River Court, said he owns a business in the area. That business has the same ingress/egress that is being proposed for this restaurant. It would be best if the exit and entrance were on Hart Street.

MR. LOOKER added that on the other side of Hart Street is vacant land. Title 19A.08.060.d. states that site development plans of non-residential properties shall be reviewed to avoid access locations which would encourage cut-through traffic in residential areas. This is an odd-shaped parcel.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER GORDON asked the applicant if they approve of staff's conditions, except No. 1. MR. LOOKER answered in the affirmative.

COMMISSIONER TRUESDELL said he has a problem with the driveway on Hart Avenue. There should be a better solution for the accesses. However, he would like to see this restaurant built.

**To be heard by the City Council on June 20, 2001.**

(8:53 - 9:01) 2 - 3390

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### ITEM

### ACTION

**Z-0119-00(1) - JIMMY LEE BANKS, ET AL ON  
BEHALF OF JACK IN THE BOX, INC.**

APPROVED

13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

14. Landscaping and a permanent underground sprinkler system shall be installed prior to occupancy and shall be permanently maintained in a satisfactory manner.



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### ITEM

### ACTION

**C-23.**

**VAC-0004-00(2) - COX COMMUNICATIONS  
OF LAS VEGAS, INC.**

Request for a Review of Conditions on an Approved Vacation to vacate excess right-of-way generally located at the northeast intersection of Rancho Drive and Bonanza Road from Ernest May Lane to Dike Lane, Ward 5 (Weekly).

**ON MAY 7, 2001, THE APPLICANT SUBMITTED A LETTER TO WITHDRAW THIS APPLICATION STATING THAT AFTER A MEETING WITH STAFF ON MAY 1, 2001, IT WAS DETERMINED THAT THE REQUEST FOR A REVIEW OF CONDITIONS IS NO LONGER NECESSARY.**

**Truesdell -  
WITHDRAWN WITHOUT PREJUDICE  
Unanimous**

ANDREW REED, Planning and Development, stated this is a right-of-way Vacation associated with the Cox Communications site near Bonanza and Rancho. The applicant met with staff in regard to the conditions. They have indicated that this review is no longer necessary.

ELENA ARELLANO, G. C. Wallace, Inc., 1555 South Rainbow Boulevard, appeared to represent Cox Communications. They met with staff and have requested this item be withdrawn from the agenda.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:05 - 6:06) 1 - 160

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### ITEM

### ACTION

**C-24.**

**VAC-0007-01 - RAUL AND GUADALUPE GIL**

Petition to Vacate a portion of the south side of California Street generally located between Commerce Street and Third Street, Ward 3 (Reese).

NOTICES MAILED        6

APPROVALS        0

PROTESTS        0

STAFF RECOMMENDATION:    APPROVAL,  
subject to:

Planning and Development

1.        Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

2.        All development shall be in conformance with code requirements and design standards of all City departments.

3.        If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

Public Works

4.        All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

Quinn -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Truesdell abstaining inasmuch as he owns property in the area.**

LAURA MARTIN, Planning and Development, stated the subject right-of-way is being used as an existing parking area for Casa Don Juan Restaurant. The proposed Vacation of the public right-of-way will not eliminate public access to any abutting parcels. The Vacation will result in a uniform right-of-way extending from Commerce Street to Third Street. The traffic lanes are not affected. Staff recommended approval, subject to the conditions.

TIM AYALA, 4600 Sunset Drive, appeared to represent the applicants. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: ROBERT GENZER, Director, Planning and Development, stated that a property owned by his in-laws is located on the north side of California Street at Main Street so he has not been involved with this application.

**To be heard by the City Council on June 20, 2001.**

(9:01 - 9:09) 3 - 300

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### ITEM

### ACTION

#### VAC-0007-01 - RAUL AND GUADALUPE GIL

APPROVED

5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

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### ITEM

### ACTION

D.

#### NON PUBLIC HEARING ITEMS:

D-1.

#### Z-0010-69(2) - LAND W, LIMITED LIABILITY COMPANY

Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter Landscaping FOR A PROPOSED 13,903 SQUARE FOOT DRUG STORE (CVS) on 1.94 Acres on the southwest corner of Lamb Boulevard and Washington Avenue (APN: 140-30-701-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

STAFF RECOMMENDATION: APPROVAL, subject to:

#### Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Revised elevations reflecting the addition of architecture features or design embellishments shall be submitted for staff review prior to any development or issuance of permits for the site.
3. No utility vault exceeding 27 cubic feet in size may encroach into approved landscape areas along public street frontages. Additionally, no waivers from required landscaping or approved signage standards shall be allowed due to the placement of any utility vaults.
4. The applicant shall submit a Master Sign Plan for staff review prior to any development or issuance of permits for the site.

Gordon -  
**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**  
Unanimous

LAURA MARTIN, Planning and Development, stated this building is located toward the southwest corner of the site with the majority of the parking located north and east of the building. The drive-through window with the canopy is depicted along the west elevation. The loading area will be located along the rear of the building. The hours of operation will be 24 hours per day and beer and wine sold for off-premise consumption.

The landscape plan depicts a 15-foot wide landscape planter along Washington Avenue and a 15-foot wide landscape planter narrowing to 12 feet wide along Lamb Boulevard. The landscape planters consist of 24-inch box trees planted 15 feet on center. The landscape planters along the south and west property lines in the parking lot landscape islands meet the intent of the Las Vegas Urban Design Guidelines and Standards. The submitted landscape plan also depicts view corridors at the northeast, northwest, and southeast corners of the property with low growing shrubs. In order to accommodate a bus turnout on Lamb Boulevard, the applicant is requesting a reduction in the width of the required perimeter landscape planter from 15 feet to 12 feet for approximately a distance of 150 feet along the Lamb Boulevard frontage. A reduction in the perimeter landscaping is justified.

The building elevations depict a one-story building with cream colored stucco exterior columns and red accents. The roof is predominantly flat with a peaked area of terra cotta barrel tile over the entry area and the drive-up canopy. A more effective treatment should be applied to the street facing elevations in order to break up the solid facades and add visual interest. There is a condition requiring revised elevations reflecting the addition of architectural features or design embellishments be submitted for staff's review prior to any development or issuance of permits for the site.

Staff recommended approval, subject to the conditions.

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### ITEM

### ACTION

#### **Z-0010-69(2) - LAND W, LIMITED LIABILITY COMPANY**

5. All exterior lighting shall meet the standards of LVMC Section 19A.08.060 (C). Any wallpack lighting on the proposed building shall utilize 'shoe-box' fixtures and downward-directed lights. Lighting standards within the parking lots shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

6. All mechanical equipment, air conditioners and shall be fully screened from view of adjacent streets.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

9. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

10. All City Code requirements and design standards of all City departments must be satisfied.

#### **Public Works**

11. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southwest corner of Lamb Boulevard and Washington Avenue prior to the issuance of any permits for this site. Additional public street rights-of-way shall be dedicated in accordance with the approved Traffic Impact Analysis.

GREG BORGEL, 300 South 4th Street, appeared to represent CVS Pharmacies, which is a national pharmacy company coming to Las Vegas for the first time. This will be either their third or fourth site in Las Vegas. It will be abundantly landscaped. The deviation as to landscaping occurs solely for a small stretch of the frontage where there will be a bus turnout on Lamb Boulevard. This is a difficult site to develop. He concurred with staff's conditions.

COMMISSIONER GORDON noted that the site plan provided to the Commissioners and the one shown on the monitor is different in that on the west side of the pharmacy there is a line with arrows. MR. BORGEL answered that the line is a valley gutter needed for drainage and the arrows indicate the directions the cars will be traveling. West of the valley gutter is a notation that describes the tree separation of 30 feet. The plan on the monitor is what will be developed.

**This is final action.**

(9:09 - 9:15) 3 - 380

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### ITEM

### ACTION

**Z-0010-69(2) - LAND W, LIMITED LIABILITY COMPANY**

**APPROVED**

12. Construct all incomplete half-street improvements (sidewalk) on Washington Avenue adjacent to this site concurrent with development of this site.

13. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

14. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer connection points and/or alignments to service this site, prior to the submittal of sewer construction drawings. Site development shall comply with the recommendations of the Collection Systems Planning Section.

15. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall address the possible need for the construction

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### ITEM

### ACTION

**Z-0010-69(2) - LAND W, LIMITED LIABILITY COMPANY**

**APPROVED**

and/or modification of the median in Lamb Boulevard. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved drainage

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#### Z-0010-69(2) - LAND W, LIMITED LIABILITY COMPANY

plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

NOTICES MAILED      N/A

APPROVALS      0

PROTESTS      0

APPROVED



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### ITEM

### ACTION

**D-2.**

**Z-0082-99(1) - NO WASTED TIME, LIMITED LIABILITY COMPANY**

Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter and Parking Lot Landscaping FOR A 4,950 SQUARE FOOT OFFICE BUILDING on 0.32 Acre at 404 South Maryland Parkway (APN's: 139-34-811-042 and 043), R-4 (High Density Residential) under Resolution of Intent to P-R (Professional Office and Parking), Ward 5 (Weekly).

**STAFF RECOMMENDATION:** APPROVAL, subject to:

**Planning and Development**

1. If this Site Development Plan Review is not exercised in two (2) years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
2. The applicant shall submit a revised site plan that depicts the handicap accessible space being moved to directly adjacent to the entrance of the building.
3. The applicant shall submit a revised landscape plan/site plan that indicates the removal of the five parking spaces adjacent to the Maryland Parkway frontage and be replaced by landscaping that conforms to the Las Vegas Urban Design Guidelines and Standards.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in view from the abutting streets.
5. Any proposed parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights and shall not shine onto adjacent properties.

Quinn -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONFORMANCE TO THE LANDSCAPING PLAN AS SUBMITTED BY THE APPLICANT AT THIS MEETING AND HANDICAPPED SPACE MOVED TO THE FRONT OF THE BUILDING AND TWO COMPACT SPACES PLACED IN THE PRESENT HANDICAPPED SPACE.**

**Motion carried with Galati voting NO and Gordon abstaining since a principal in this project is the accountant for his firm.**

NOTE: COMMISSIONER GORDON stated that he would be abstaining and leaving the meeting.

TROY JESCHKE, Planning and Development, stated this site will occupy two lots along Maryland Parkway. A 4,950 square foot office building is depicted toward the rear of the site with 15 parking spaces, including one handicapped accessible space provided in the front of the building. Access is from one 24-foot wide driveway onto Maryland Parkway. Eleven additional parking spaces are shown along the rear of the building adjacent to a public alleyway for a total of 26 parking spaces.

The landscape plan indicates minimum six-foot wide planters along the Maryland Parkway frontage and five-foot wide planters along the north and south property lines.

The building elevations depict a modified colonial style building with white and reddish/brown stucco with cultured stone accents along the bottom portions of the building. Rectangular windows are shown at regular intervals with beige colored frames and greenish colored shutters. Decorative columns adorn the entryway. The roof features consist of a modified mansard roof with grayish slate roof tiles. The parking for the site is in excess of the required. The deletion of the parking spaces along Maryland Parkway can be accomplished without impacting the required parking of the site and would reduce the need for the reduction of landscaping. There is no justification for the reduction in landscaping and, therefore, recommended that the reduction of landscaping not be approved and that the deletion of the spaces be accomplished.

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### ITEM

### ACTION

#### **Z-0082-99(1) - NO WASTED TIME, LIMITED LIABILITY COMPANY**

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

#### **Public Works**

8. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-82-99 and all other subsequent site-related actions.

**NOTICES MAILED**      N/A

**APPROVALS**      0

**PROTESTS**      0

The approval with the conditions regarding landscaping and office building will be compatible with surrounding offices and retail uses to the north and east of the site. Staff recommended approval, subject to the conditions.

GERALD GARAPICH, Garapich & Associates, 10 Commerce Center Drive, Henderson, Nevada appeared to represent the MDL Group. This project is located on the southwest corner of Lewis and Maryland Parkway. It is a 5,000 square foot building on a small site. The reason for the landscape waiver is because this is in a redevelopment area. They are willing to increase the landscaping. They don't want to give up the parking in the front. There are a lot of apartments and older buildings and houses that have been converted to office buildings. The occupant load is 50 people. Getting the parking up to five spaces per 1,000 square feet is important for this real estate business.

CHAIRMAN GALATI asked if Maryland Parkway will ever be widened in the future. BART ANDERSON, Public Works, responded that there are no plans to widen Maryland Parkway.

COMMISSIONER QUINN made a motion for approval, subject to the conditions, but amending Condition Nos. 2 and 3. MR. JESCHKE clarified that Condition No. 3 should be stricken

CHAIRMAN GALATI suggested placing a planter in the handicapped space.

MR. GARAPICH suggested intruding into the parking with a diamond shaped planter to move the tree to the property line. The house next door is owned by the same people. He would be willing to work with staff to enhance the landscaping on the existing building.

**This is final action.**

(9:15 - 9:28) 3 - 353

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### ITEM

### ACTION

**E.**

**CITIZENS PARTICIPATION:**

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

ADJOURNMENT:

/lo

TODD FARLOW, 240 North 19th Street, commended the booklet on the Public Safety Element.

There being no further business to come before the City Planning Commission, the meeting adjourned at 9:29 P.M.

PLANNING AND DEVELOPMENT DEPARTMENT

\_\_\_\_\_  
\_\_\_\_\_  
LINDA OWENS, DEPUTY CITY CLERK